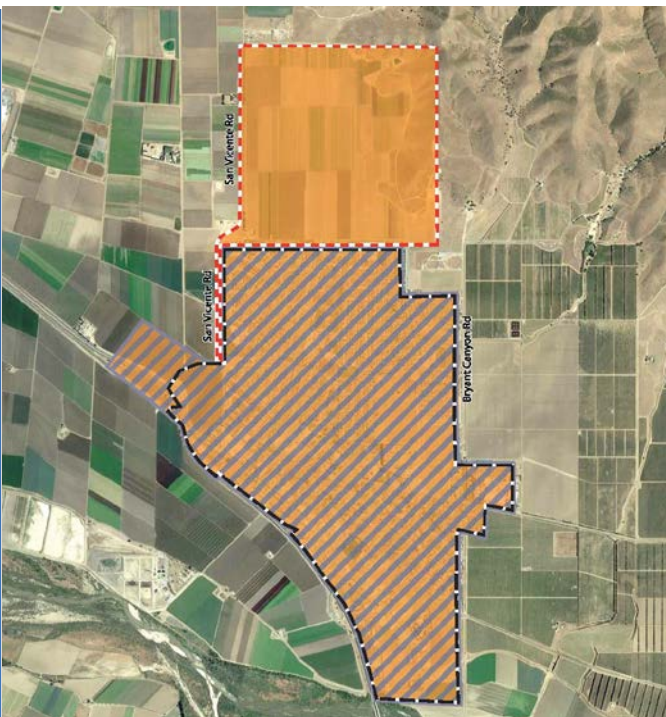


LAFCO Sphere of Influence and Reorganization Application

Miramonte Specific Plan

Second Submittal

July 2, 2021



Prepared by
City of Soledad Community and
Economic Development Department

LAFCO SPHERE OF INFLUENCE AND REORGANIZATION APPLICATION

MIRAMONTE SPECIFIC PLAN

SECOND SUBMITTAL

PREPARED FOR

Monterey County Local Agency Formation Commission

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July 2, 2021

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TABLE OF CONTENTS

1.0	REQUEST FOR LAFCO ACTION AND GENERAL INFORMATION.....	1-1
1.1	Request for LAFCO Action/Resolution of Application	1-1
1.2	General Information	1-2
2.0	DETERMINATION OF BOUNDARIES AND DUPLICATION OF AUTHORITY	2-1
2.1	Determination of Boundaries.....	2-1
2.2	Duplication of Authority to Perform Similar Functions	2-2
3.0	CONFORMANCE WITH SOLEDAD GENERAL PLAN, SPECIFIC PLANS, AND SPHERE OF INFLUENCE.....	3-1
3.1	Conformance with Soledad General Plan	3-1
3.2	Conformance With Sphere of Influence	3-8
4.0	ENVIRONMENTAL IMPACT ASSESSMENT	4-1
4.1	Background.....	4-1
4.2	CEQA Documentation	4-1
5.0	ECONOMICS, SERVICE DELIVERY, AND DEVELOPMENT PATTERNS/ PLAN FOR SERVICES.....	5-1
5.1	Economics, Service Delivery, and Development Patterns.....	5-1
5.2	Service Delivery/Plan For Services.....	5-9
6.0	PHASING	6-1
6.1	Phasing	6-1

7.0	OPEN SPACE AND AGRICULTURAL LAND	7-1
7.1	Agricultural Land	7-1
7.2	Open Space and Parks	7-5
8.0	GROUNDWATER STANDARDS.....	8-1
8.1	Groundwater Standards	8-1
9.0	REGIONAL TRAFFIC IMPACTS.....	9-1
9.1	Regional Traffic Impact Mitigation.....	9-1
10.0	EFFICIENT URBAN DEVELOPMENT PATTERNS/ HOUSING AND JOBS ...	10-1
10.1	Efficient Urban Development Patterns	10-1
10.2	Housing and Jobs	10-2
11.0	DISADVANTAGED UNINCORPORATED COMMUNITIES ADJACENT TO CITIES	11-1
11.1	Disadvantaged Unincorporated Communities.....	11-1
12.0	ENVIRONMENTAL JUSTICE.....	12-1
12.1	Environmental Justice	12-1

Appendices

Appendix A	LAFCO Application Form Attachments A-E
	Attachment A Application Checklist
	Attachment B SOI Policy Response
	Attachment C.....Plan for Providing Services Policy Response
	Attachment D.. Development Patterns and Housing Policy Response
	Attachment EOpen Space and Agriculture Policy Response

Appendix B	City Exhibits A-M
	Exhibit ACity of Soledad Resolution of Application
	Exhibit B.....SOI and Reorganization Map, Legal Description, and Conditions of Approval
	Exhibit C Miramonte Specific Plan
	Exhibit D.....City of Soledad O2112rdinance No. 718, Prezone
	Exhibit E..... Addendum to Miravale III Specific Plan EIR
	Exhibit F..... Response to Soledad Unified School District Comments
	Exhibit G..... City of Soledad Resolution 5431, CEQA Findings
	Exhibit H.....Mitigation Monitoring and Reporting Program
	Exhibit I..... Fiscal Analysis
	Exhibit J..... Plan For Providing Services
	Exhibit KAgricultural Mitigation and Buffers
	Exhibit L.....Property Tax Transfer Agreement
	Exhibit M GHG Emissions Reductions Plan Guidance

Figures

Figure 1-1	Sphere of Influence and Reorganization Area, and General Plan Expansion Area Locations 1-5
Figure 1-2	Aerial Photograph..... 1-7
Figure 1-3	Location Within the 2016 MOA Urban Growth Boundary 1-9
Figure 2-1	Proposed Sphere of Influence and Affected Parcels 2-3
Figure 3-1	Soledad General Plan Land Use Designations..... 3-3
Figure 3-2	Miramonte Specific Plan Zoning Designations 3-5
Figure 3-3	Existing and proposed SOI Boundary..... 3-9
Figure 3-4	Proposed SOI and 2016 MOA Boundary 3-11
Figure 6-1	Conceptual Development Phase 1 6-3
Figure 7-1	Agricultural Buffer..... 7-3
Figure 7-2	Open Space, Trails, and Parks 7-7

Figure 10-1	Land Uses	10-3
Figure 10-2	Residential Lot Sizes	10-5

Tables

Table 5-1	Summary of Estimated Annual Fiscal Impact on General Fund and Gas Tax Fund.....	5-3
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1.0

Request for LAFCO Action and General Information

1.1 REQUEST FOR LAFCO ACTION/RESOLUTION OF APPLICATION

The City of Soledad City Council has approved the Miramonte Specific Plan (Specific Plan) and Prezoning, and has conditionally approved a vesting tentative map needed to facilitate development of approximately 647.3 acres located outside the city limits and City of Soledad Sphere of Influence (SOI), but within the City of Soledad 2005 General Plan (General Plan) planning area. The City of Soledad is formally requesting Monterey County Local Agency Formation Commission (LAFCO) approval of a reorganization that includes the SOI boundary adjustment, annexation, and detachment from service area boundaries.

The SOI amendment and Reorganization boundary are referred to interchangeably with the Specific Plan territory, which is located in unincorporated Monterey County and within the following General Plan Expansion Areas:

- 633.8 acres within the Mirrasou Specific Plan Area (Approximately 488.4 of the 633.8 acres are considered to be developable);
- 1.28 acres within the Northwest Expansion Area;
- 9.71 acres within the San Vicente West Specific Plan Area; and
- 2.05 acres located within the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area.

The Specific Plan was adopted by the City of Soledad City Council on November 7, 2018. For the site to be developed pursuant to the Specific Plan land use guidance that applies to it, the City of Soledad SOI must be amended to include the project site, and the Specific Plan area must be annexed to the City of Soledad and detached from the service areas of two service providers (Reorganization). Throughout this application text the term “project site” refers interchangeably to any one of the reorganization actions, including the proposed SOI boundary adjustment, annexation, and detachments, the boundaries of which are coterminous with the Specific Plan boundary.

The City Council's request to LAFCO is formalized in the City Council's Resolution of Application, Resolution No. 5434 and No. 5435, both adopted on November 7, 2018. The reasons for the SOI and Reorganization request are enumerated throughout this application and its attachments.

The information in this SOI adjustment and Reorganization application is consistent with the content requirements identified by LAFCO staff in the Application Checklist for the Miramonte Sphere of Influence Proposal, included in [Appendix A](#). Evidence to support application content requirements is included in the application text and the application attachments, figures, and exhibits. The figures are found at the end of each section of the application text. Application attachments are found in [Appendix A](#); Exhibits are found in [Appendix B](#). The proposed map and legal description as well as the Soledad City Resolution of Application is presented in [Appendix B, Exhibit A. Exhibits A-M](#), located in [Appendix B](#), are included on the enclosed CD on the inside back cover of this application text.

1.2 GENERAL INFORMATION

a. *Describe the proposed action (Annexation, Detachment, Sphere of Influence Amendment, formation, etc.) affecting a city or special district:*

1. Amendment to the City of Soledad Sphere of Influence;
2. Annexation to the City of Soledad;
3. Detachment from two special districts:

Mission Soledad Rural Fire Protection District; and

Resources Conservation District of Monterey County.

b. *Applicant (chief petitioner/contact person):*

Brent Slama, AICP, City Manager and Bryan Swanson, Community and Economic Development Director

Agency: City of Soledad Community and Economic Development Department

Address: 248 Main Street, Soledad, California 93960

Phone Number: (831) 223-5014 – City Manager; and (831) 223-5043 Community and Economic Development Director

Email Address: brent.slama@cityofsoledad.com; bswanson@cityofsoledad.com

c. *Describe the location of the subject territory, including Assessor Parcel Number(s):*

The project site is located adjacent to the northern City of Soledad city limit and east of San Vicente Road within the unincorporated area of Monterey County. The project site consists of Assessor Parcel Numbers 417-151-082, 417-151-084, 417-151-089, 417-151-090, 417-151-091,

and 417-151-092; and portions of Assessor Parcel Numbers 257-081-005, 257-091-009, 257-091-011, and 257-091-012, which these later assessor parcel numbers are needed for right-of-way acquisition and construction of improvements to San Vicente Road. The SOI and Reorganization boundary is identical to the Miramonte Specific Plan boundary. [Figure 1-1, Sphere of Influence and Reorganization Area, and General Plan Expansion Area Locations](#), shows the project site location in relation to the General Plan Expansion Areas and existing developed uses within the city limits.

d. Size (in acres) of the affected territory:

The SOI and Reorganization area encompasses approximately 647.3 acres. Approximately 5.5 acres are within Monterey County and City of Soledad existing roadway rights-of-way along San Vicente Road. The balance of 641.8 acres would be available for urban development and new roadway rights-of-way consistent with the Specific Plan land uses and zoning. The roadway rights-of-way are included in the project site pursuant to LAFCO policy.

e. Population:

1. Estimated population in the subject area:

The project site is comprised of vacant land and actively farmed land currently in organic row crop production; there are no existing residents. Once annexed, development consistent with the Specific Plan would create housing for approximately 9,712 residents.

2. Proximity to other populated areas:

The project site adjoins developed areas on the south and west that are currently within the city limits. The site is bordered by developed residential uses to the south, within the existing city limit, beyond which are commercial and industrial uses between the site and U.S. Highway 101. Bordering the “project site” are broad expanses of agricultural land to the west and rangeland to the north and east. [Figure 1-2, Aerial Photograph](#), shows the relationship of the project site to populated areas.

f. Why has the proposed action been requested?

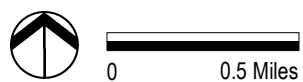
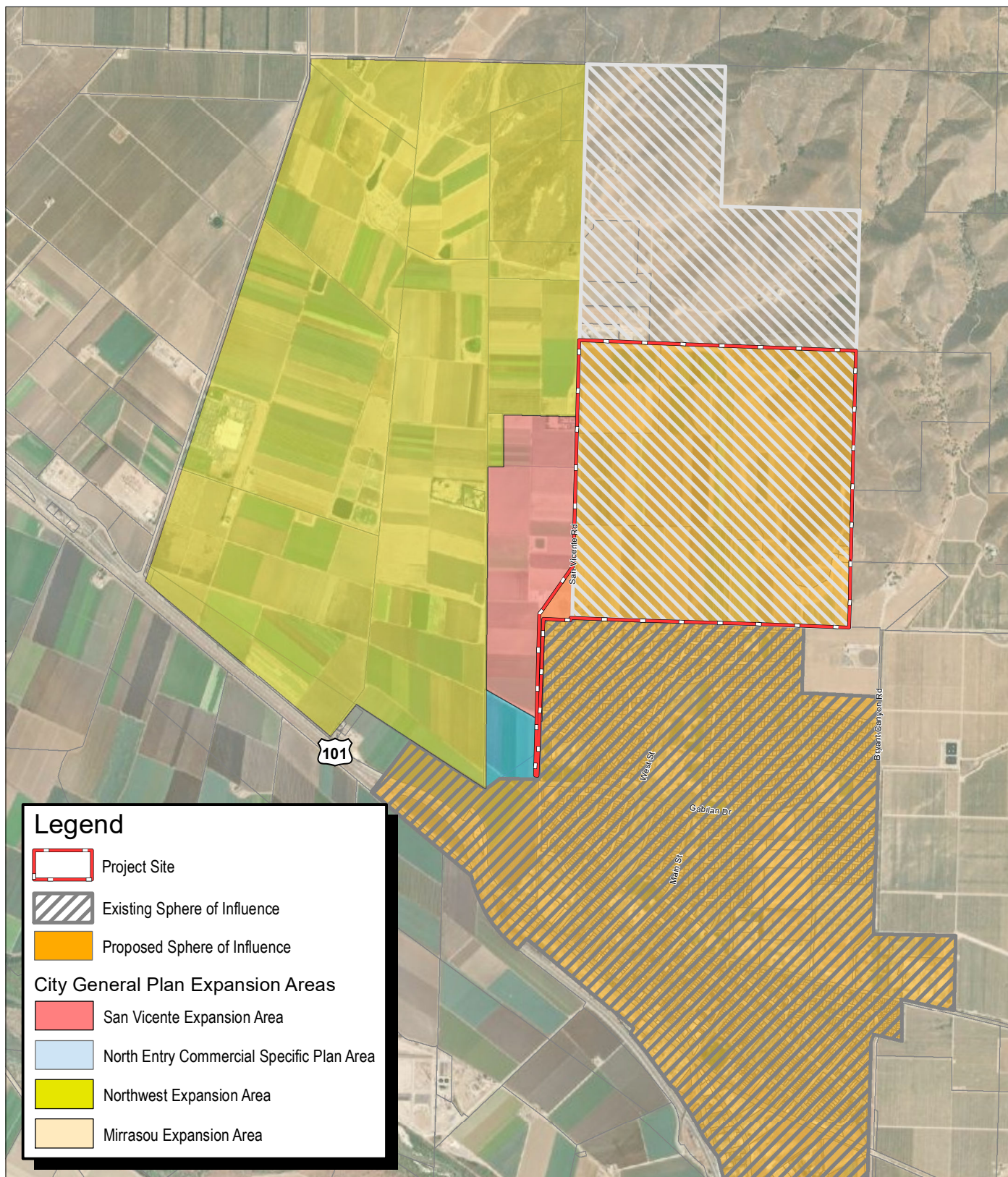
The proposed SOI amendment and reorganization are necessary to implement the city’s General Plan housing element, address a critical housing shortage within the City of Soledad and its existing sphere, address state mandates for the provision of affordable housing, fund the construction and maintenance of major improvements to serve existing and new residents of the city, preserve open space and Prime Farmland within the city’s General Plan planning area by directing growth within the Urban Growth Boundary identified in the 2016 Memorandum of Agreement between the City of Soledad and Monterey County (2016 MOA), and implementing an agricultural mitigation program to compensate for the loss of Prime Farmland within the SOI amendment area. [Figure 1-3, Location Within the 2016 MOA Urban Growth Boundary](#), illustrates the central location of the project site within the Urban Growth Boundary.

As shown in Figure 1-1, the project site is within the General Plan planning area and encompasses portions of three of the city's future Expansion Areas: the Mirrasou Specific Plan Area, the San Vicente West Expansion Area, and the North Entry Commercial Expansion Area, into which the General Plan directs new concentrated urban growth. The Expansion Areas are outside the city's SOI, but adjacent to the current city limit. The city's SOI has remained constant, with one small exception, since 2004. Since 2004, one 92-acre sphere amendment and annexation has occurred. Residential development has occurred within the city as infill, but has not kept pace with its population growth. Very few opportunities to increase the city's affordable housing or market rate housing stock are currently available within the city's current SOI. This has created a situation where available housing units are occupied by extended and multiple families, creating a burden on city and regional transportation infrastructure and city services. At no time has this been more evident than during the COVID 19 pandemic, when families were forced to shelter in place under already crowded conditions. An amendment of the SOI is needed to accommodate development that will provide much needed housing, to meet existing and future growth needs outlined in the General Plan.

Reorganization is requested for the entire SOI amendment area, rather than piecemealed in smaller annexations in order to enable the city to balance the housing needs of seniors and families, including families with very low, low, and moderate income, with market rate housing and commercial development capable of funding major public infrastructure improvements such as alternative or updated access/egress between the city and U.S. Highway 101, other local transportation facility improvements, and address water, wastewater, and storm drainage improvements within the site and downstream within the existing sphere, without compromising the city's ability to provide, maintain or improve public services currently provided to existing city residents.

The requested SOI amendment and reorganization logically directs the city's growth within its General Plan Expansion Areas consistent with the General Plan and squarely within the Urban Growth Boundary, consistent with the direction of the 2016 MOA.

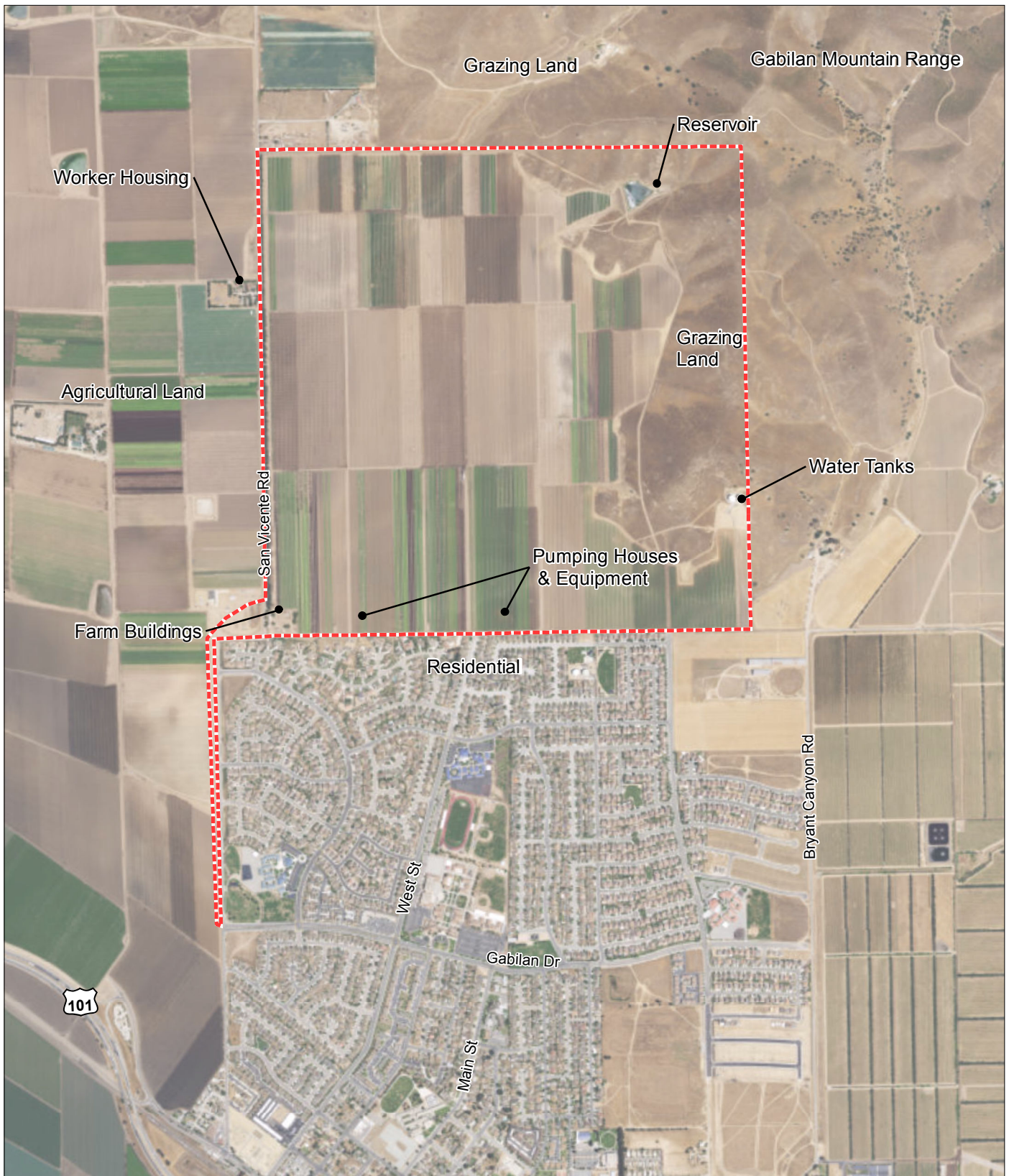
Specific Plan Background An entitlement application was submitted to the City of Soledad in early 2000 that included requests for General Plan Amendment, Specific Plan (Miravale III Specific Plan), Rezoning, and Vesting Tentative Map approvals to facilitate development of a larger 920-acre site that was similarly located in the General Plan Expansion Areas. In 2010, the City of Soledad certified the Miravale III Specific Plan EIR for the previously proposed project, but did not undertake further consideration of the project. The City Council adopted Resolution #4565 directing the applicant to revise the project for consistency with the General Plan by downsizing the project and eliminating development above the 400-foot elevation contour, and to prepare an updated Fiscal Analysis and Plan for Services consistent with the city's infrastructure master plans.



Source: ESRI 2019

Figure 1-1
Sphere of Influence and Annexation Area and
General Plan Expansion Area Locations

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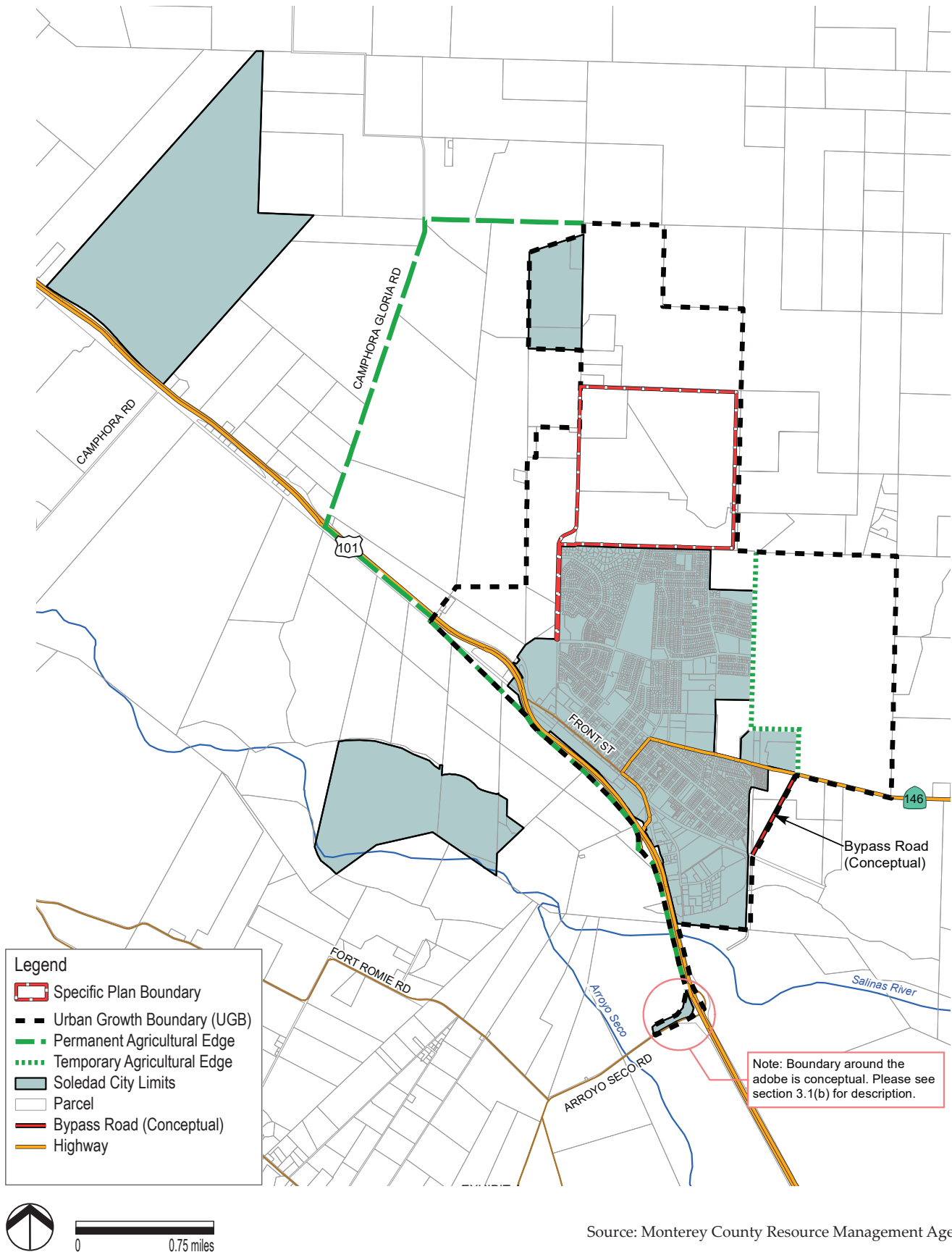
Proposed SOI and Reorganization Area

Source: Esri 2017



Figure 1-2
Aerial Photograph
 City of Soledad Miramonte Specific Plan LAFCO Application

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Source: Monterey County Resource Management Agency 2015

Figure 1-3 Location Within the 2016 MOA Urban Growth Boundary

City of Soledad Miramonte Specific Plan LAFCO Application

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A new entitlement application was submitted to the City of Soledad in July of 2016, for the current Specific Plan project, the boundary of which is coterminous with the project site that is the subject of this request. A Fiscal Analysis and Plan for Services were also prepared. The Specific Plan responds to City Council Resolution #4565 direction to revise the formerly proposed Miravale III Specific Plan in conformance with the alternatives identified in the certified Final EIR for the Miravale III Specific Plan project. The City of Soledad City Council certified an Addendum to the Miravale III Specific Plan EIR (EIR Addendum) and approved the entitlements for the Specific Plan, SOI amendment, Prezone, Annexation, and a Vesting Tentative Map was conditionally approved. Final Map(s) that meet the city's conditions of approval have not yet been submitted to the city.

g. *List any conditions proposed as a part of the proposal.*

As part of the EIR Addendum analysis, minor modifications were made to mitigation measures identified in the Miravale III Specific Plan EIR, to address the Miramonte Specific Plan. All applicable and/or modified mitigation measures are included in the EIR Addendum and adopted mitigation monitoring program. Implementation of the mitigation measures identified in the certified EIR Addendum and other conditions imposed by the city in its approval of the Specific Plan and Vesting Tentative Map are required conditions of approval. These conditions are listed in the exhibits to City Council Resolutions certifying the EIR Addendum (Resolution #5431), adopting the Mitigation Monitoring and Reporting Program for the Specific Plan and Vesting Tentative Map (Resolution #5432), and conditionally approving a Vesting Tentative Map for development of the Specific Plan area (Resolution #5436). The conditions of approval include standard conditions of approval (e.g., payment of applicable development impact fees), as well as specific project conditions (e.g., requiring the preparation of a comprehensive financing plan and infrastructure master plans prior to city acceptance of any final map). Resolution #5431 is included in [Exhibit G](#). All other resolutions related to the entitlements and accompanying adopted mitigation measures are included in [Exhibit H](#). Conditions of vesting tentative map approval are included in [Exhibit B](#).

h. *Do you request that the proposed area be taxed for existing bonded indebtedness or contractual obligations?*

Yes _____ No X

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Determination of Boundaries and Duplication of Authority

2.1 DETERMINATION OF BOUNDARIES

a. Do the proposal's boundaries follow existing political boundaries (such as property lines or jurisdictional lines) and/or physical features such as river, lakes, railroad tracks, and freeways? If not, please explain the reasons for nonconformance.

The proposed SOI and Reorganization boundary follows existing and proposed parcel lines as well as man-made physical features (i.e., city and county roads) with the exception of portions of Assessor Parcel Numbers 257-081-005, 257-091-009, 257-091-011, and 257-091-012, which are needed for right-of-way acquisition and construction of improvements to San Vicente Road (here the boundary follows the future edge of the street right-of-way).

[Figure 2-1, Proposed Sphere of Influence and Affected Parcels](#), shows the portions of the affected parcels. The Annexation Map and Description are included in Exhibit B.

The right-of-way acquisition and improvements include land necessary for replacement of a segment of San Vicente Road that consists of two right-angle turns as it transitions from unincorporated Monterey County to the city limit line. The proposed alignment of right-of-way improvements is constrained by existing development within the city limit and the presence of high-power overhead utility transmission lines near the two right-angle turns. The area east of the realigned roadway could be used for parkland and/or drainage facility uses, consistent with the Specific Plan land uses and zoning.

The Specific Plan includes hillside open space above the 400-foot elevation contour so that the city or an assigned entity can maintain the designated trail system, site alternative energy systems, provide other recreational opportunities, locate infrastructure to serve the plan area (e.g., water tank), conduct fire fuel reduction activities as needed, and provide efficient emergency response services within the area. The area is to be placed under a conservation easement with land uses limited to those specified by the Specific Plan or in a development agreement.

2.0 Determination of Boundaries and Duplication of Authority

b. If the proposal's boundaries create an island, corridor, or strip either within the proposed territory or immediately adjacent to it, please explain why this is the case.

The proposed SOI and Reorganization request applies to lands contiguous with the existing city limit and does not create an island, corridor or strip within the proposed territory.

c. For annexations to a city or district, does the annexation include the adjacent streets and rights-of-way? Please describe how the proposal will conform to road right-of-way guidelines for proposals submitted to LAFCO. (LAFCO Policies and Procedures, Part D.II.7)

The proposed SOI and Reorganization area includes annexation of the entirety of the right-of-way necessary for improvement of San Vicente Road, which borders the plan area to the west and provides access from the south, and includes all of the local roads and utility easements necessary to serve future development within the plan area.

d. Would the proposal divide any existing tax assessment parcels? If so, please explain why this is proposed.

No. In instances where less than an entire tax assessment parcel is proposed for inclusion, those portions of existing parcels would be annexed as part of the SOI and Reorganization area because they are necessary for right-of-way acquisition and construction of improvements to San Vicente Road.

e. Would the proposal divide any existing identifiable community, commercial district, or any other area having social or economic homogeneity? If so, please explain why this is proposed.

No. The SOI and Reorganization area does not include an existing community, commercial district or other area. It is planned for uses that are consistent with adjacent uses within the city. The SOI and Reorganization would not divide a community, commercial district, or other area having social or economic homogeneity.

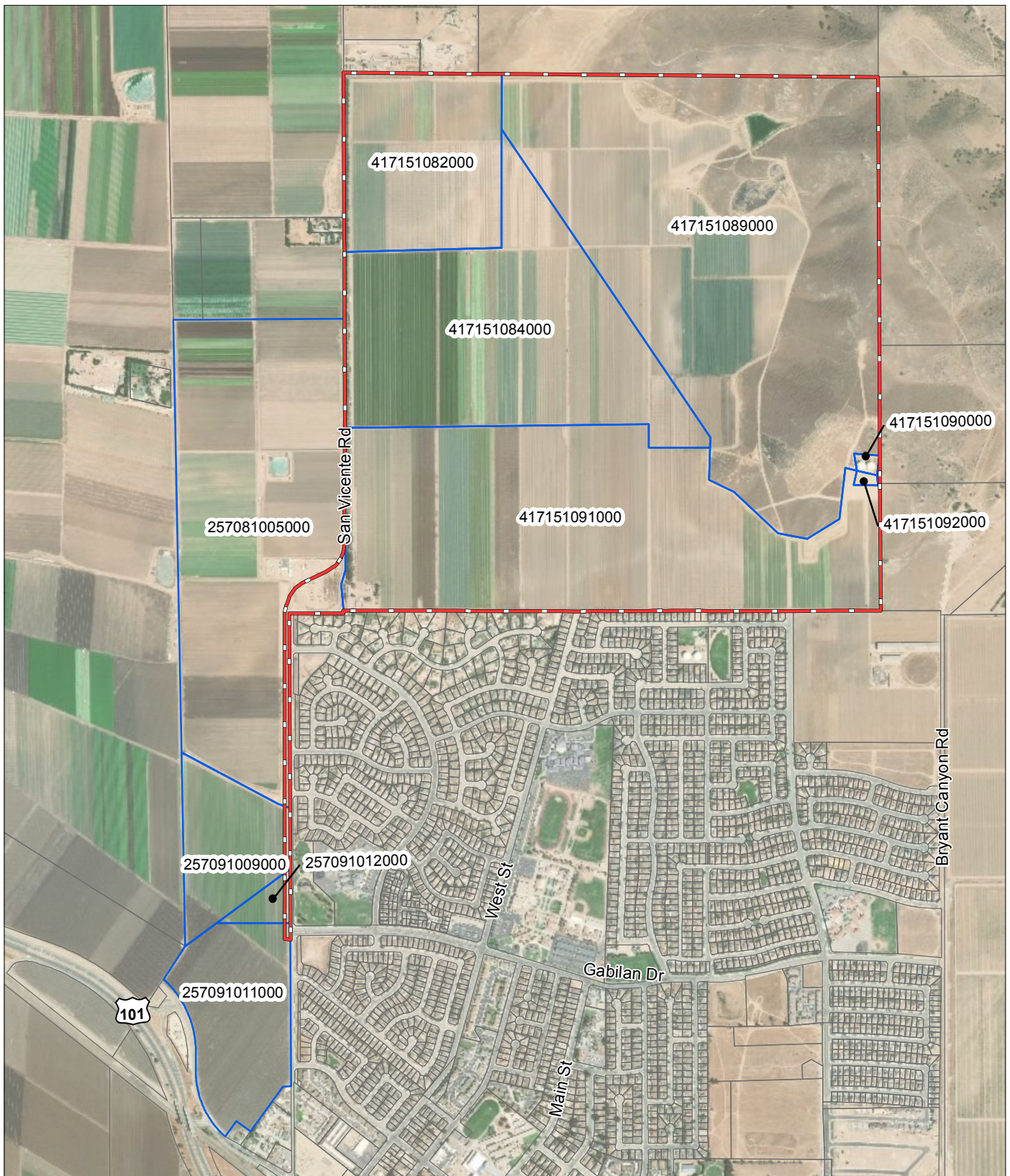
f. Does the proposal include all territory that would reasonably benefit from agency services? If not, please explain why not.

The proposal includes all territory that would reasonably benefit from city services.

2.2 DUPLICATION OF AUTHORITY TO PERFORM SIMILAR FUNCTIONS

a. Would the proposal result in any duplication of authority? (i.e., two or more governmental agencies providing the same or similar types of services) If so, please justify the need for the duplication.

The proposal will not result in two or more districts or service agencies with overlapping jurisdiction or authority to perform the same or similar functions. All services will be provided by the City of Soledad or by service providers (e.g., solid waste collection) within which the proposed SOI and Reorganization area are located.



Source: ESRI 2019, Monterey County GIS 2018

Figure 2-1



Proposed Sphere of Influence and Affected Parcels

City of Soledad Miramonte Specific Plan LAFCO Application

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Conformance with Soledad General Plan, Specific Plans, and Sphere of Influence

3.1 CONFORMANCE WITH SOLEDAD GENERAL PLAN

a. Indicate the existing land use (including residential density):

The project site consists primarily of undeveloped land; there are no residences on the site. Much of the site is in active agricultural production for row crops and vineyards. The western and central portions of the site are generally vacant of structures and other physical features except for farming buildings and support structures, farming equipment, detention and percolation ponds, pumping houses and equipment, and access roads. The eastern edge of the site contains predominantly undeveloped foothills currently utilized for grazing activities. Existing development within these foothills include ranch roads, City of Soledad municipal water tanks (located on Assessor's parcel numbers 417-151-091 and 417-151-092), electrical power lines, and small-scale communication equipment. The farming structures are located on the site adjacent to the northwest corner of the City of Soledad city limit.

b. What is the city's General Plan designation and zoning for the subject territory, if applicable?

The General Plan land use designation for the project site is Miramonte Specific Plan Area (MM-SP). The rezoning for the Specific Plan area is LDR Low Density Residential (M3-R-1); VR Village Residential (M3-R-V), C Village Commercial (M3-C-V), MU Mixed Use Opportunity (M3-MU), PF Public Facility (P-F), and OSP Open Space & Parks (O-S).

- The project approved by the City Council on November 7, 2018 included a General Plan Amendment for the following items:
- Change the City of Soledad General Plan land use designation for 633.8 acres of the 1,165-acre Mirrasou Specific Plan Area to Miramonte Specific Plan;
- Change the City of Soledad General Plan land use designation for 1.28 acres of the project site from Northwest Expansion Area to Miramonte Specific Plan;
- Change the City of Soledad General Plan land use designation for 9.71 acres of the project site from San Vicente West Specific Plan Area to Miramonte Specific Plan;
- Change the City of Soledad General Plan land use designation for 2.05 acres of the project site from the North Entry Commercial Specific Plan Area and Entry Commercial Expansion Area to Miramonte Specific Plan;

3.0 Conformance with Soledad General Plan, Specific Plans, and Sphere of Influence

- Identify a development potential of 5,975 units in the Northwest Expansion Area (6,500 identified in the current General Plan less 525 reallocated to the Miramonte Specific Plan Area); and
- Change the existing jurisdictional boundaries to include the 651-acre Specific Plan area (which includes the approximately 18.1 acres of land needed for the city's desired San Vicente Road improvements in the City of Soledad).

Figure 3-1, [Soledad General Plan Land Use Designations](#), shows the applicable land use designations for the project site and vicinity. Figure 3-2, [Miramonte Specific Plan Zoning Designations](#), presents the applicable zoning designations (prezoned) that would be adopted after approval of the annexation request.

c. What is Monterey County's General Plan designation and zoning, if applicable?

The existing Monterey County General Plan land use designation is Farmlands (40-160 Ac Min) and Permanent Grazing (10-160 Ac Min). The site is zoned as Farmland (F/40) and Permanent Grazing (PG/40).

d. What is the proposed future land use?

Future development consistent with the Specific Plan land uses and zoning, would include low-, medium-, and high-density residential uses, including affordable housing, mixed uses, commercial, public facility (i.e., police, fire, schools), and parks and open space uses. Refer also to the response to item 3.1(b).

e. Is the proposal consistent with the applicable city or County General Plan designation? (and any Specific Plan). If not, please specify the reasons for non-conformance.

The proposal is consistent with the land uses and zoning identified in the Specific Plan approved by the City of Soledad City Council on November 7, 2018. The General Plan Amendments approved for the Specific Plan area assure that the land uses for the Specific Plan area are consistent with the applicable land use designations, General Plan land use intensity and residential densities. The proposal is consistent with the city's intent that the subject portion of the General Plan planning area be developed with urban uses consistent with the Specific Plan land use designation.

The City Council approved the Specific Plan to guide development within the SOI and Reorganization area, which are co-terminus with the Specific Plan boundary. Therefore, the proposed SOI and Reorganization are consistent the applicable Specific Plan. Individual development projects proposed within the annexation boundary must be consistent with the Specific Plan, and the Specific Plan is consistent with the General Plan. The Specific Plan is included as [Exhibit C](#). Specific Plan consistency with the General Plan is discussed in Table 1-4 of the Specific Plan.

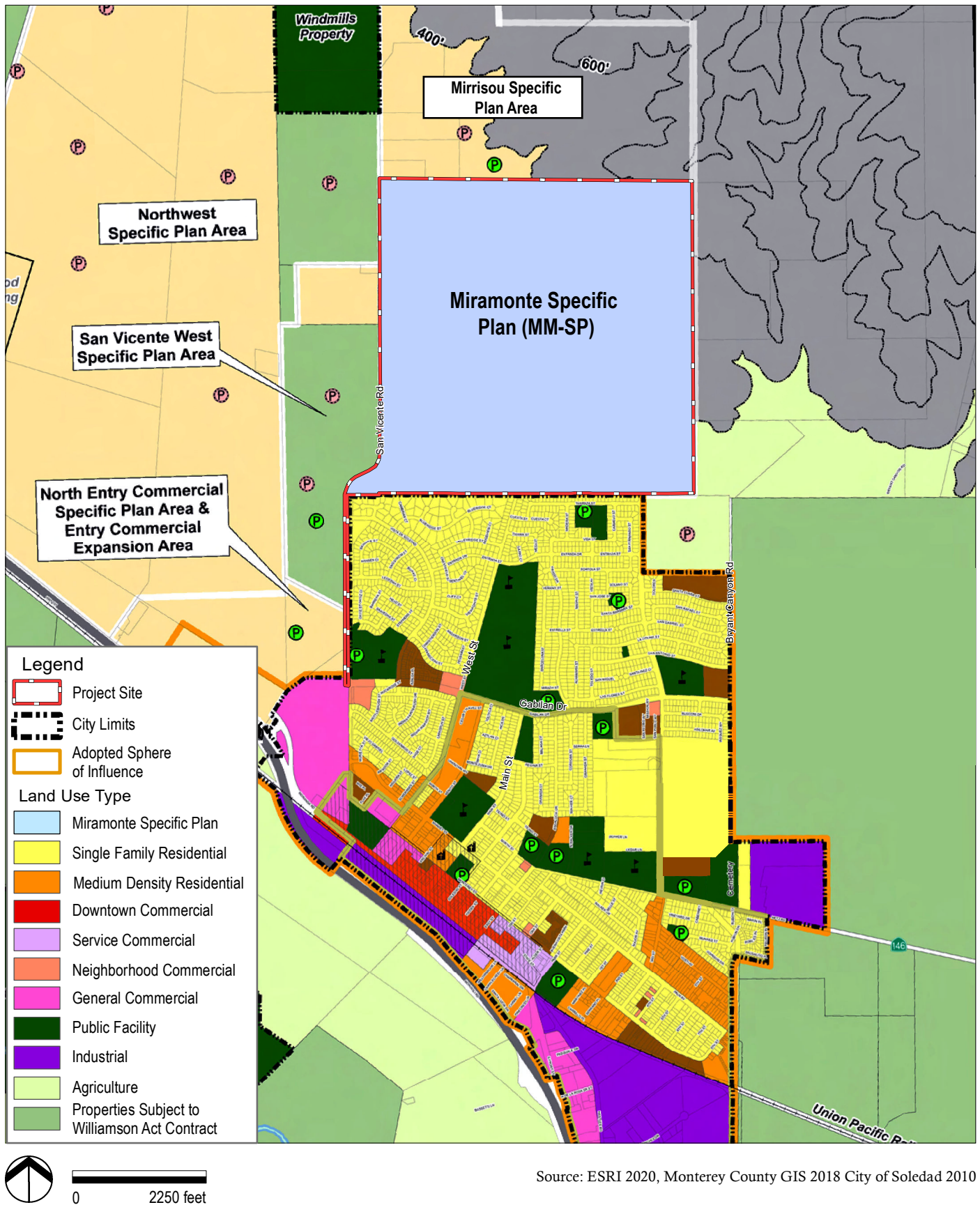
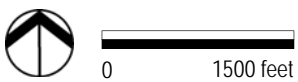
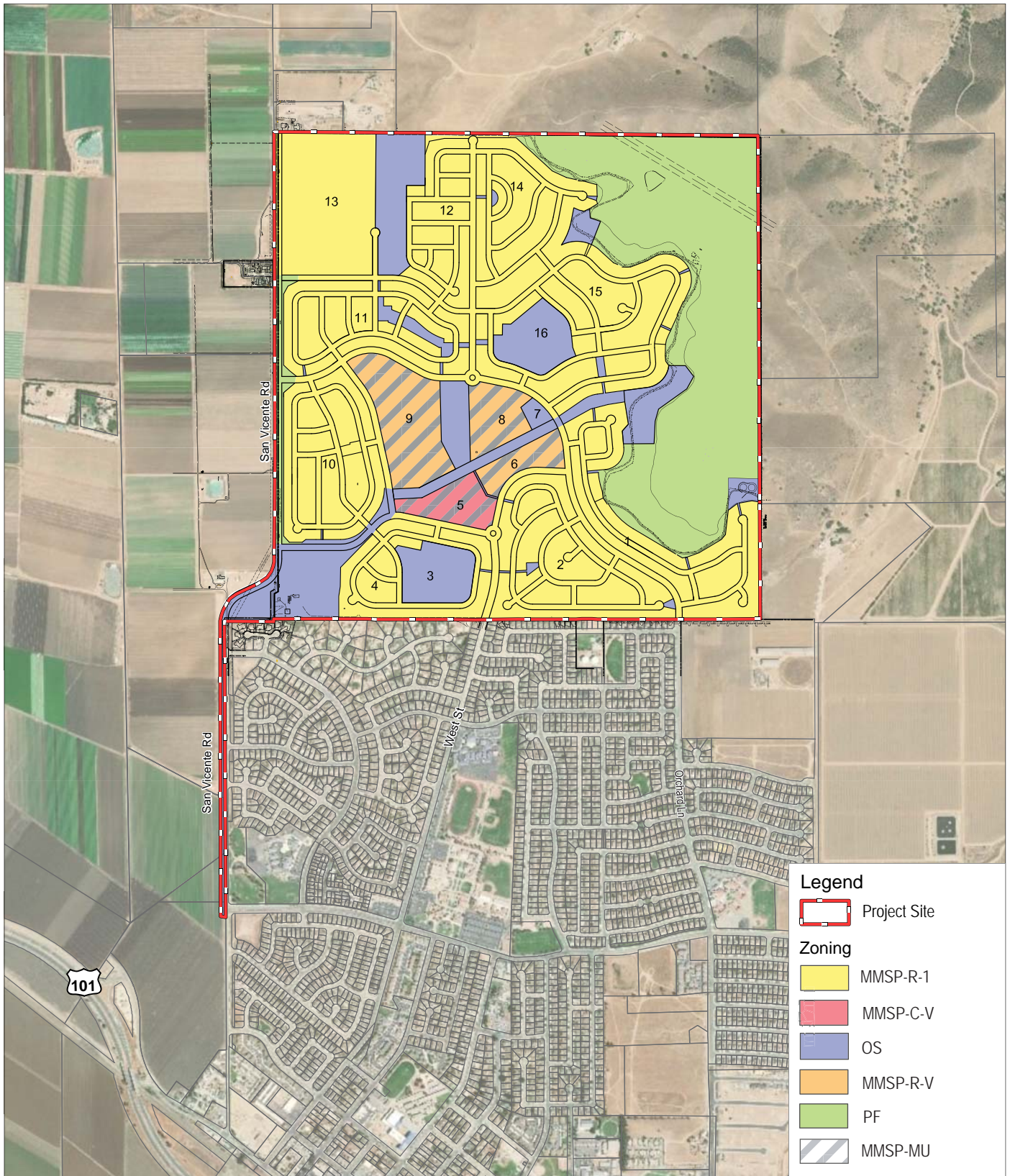


Figure 3-1

Soledad General Plan Land Use Designations

City of Soledad Miramonte Specific Plan LAFCO Application

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Source: ESRI 2020, Monterey County GIS 2018

Figure 3-2

Miramonte Specific Plan Zoning Designations

City of Soledad Miramonte Specific Plan LAFCO Application



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f. *Please describe the city or County's long-term planned direction of growth and comment on whether the proposed action is consistent with that plan.*

The proposal is consistent with the City of Soledad long-term planned direction of growth, as the SOI and Reorganization area is located within the city's future growth Expansion Areas within the General Plan planning area, and within the Urban Growth Boundary identified in the 2016 MOA.

g. *For annexation and other changes of organization: If the change of organization involves a city, has the city rezoned the area?*

Yes X No

If so, what is the rezoning classification and when was the ordinance adopted?

The City Council adopted Rezoning Ordinance 718 for the SOI and Reorganization area that applies the Specific Plan zoning districts. The rezoning designations for the Specific Plan area, which is coterminous with the proposed SOI and Reorganization area, are LDR Low Density Residential (M3-R-1); VR Village Residential (M3-R-V), C Village Commercial (M3-C-V), MU Mixed Use Opportunity (M3-MU), PF Public Facility (P-F), and OSP Open Space & Parks (O-S). See also the response to item 3.1d. A discussion of consistency with LAFCO Annexation policies is included in the Specific Plan on pages 2-6 – 2-12 (Refer to [Exhibit C](#)). The adopted Rezoning Ordinance 718 is included in [Exhibit D](#).

h. *Amount and description of publicly owned land in the area:*

The SOI and Reorganization area includes approximately 5.5 acres comprised of existing city and county public roadway rights-of-way and approximately 1.52 acres (Assessor parcel numbers 417-151-090 and 417-151-092) owned by the City of Soledad, which is occupied by two municipal water supply storage tanks (refer to Figure 2-1).

i. *Could the proposal serve to encourage development of currently undeveloped areas or increase the intensity of development of already developed areas?*

Yes X No

If yes, please comment.

Development within the Specific Plan area would be adjacent to active farmland located on unincorporated lands west of San Vicente Road, and north of the project site. Property owners of these areas may feel increased pressure to develop; however, buildout of the SOI boundary and annexation area is expected to occur over a period of at 10-20 years. Utility and roadway infrastructure improvements required as conditions of any final subdivision map approval, once the area is annexed to the city, will facilitate increased access to the project site, access to areas in unincorporated Monterey County along San Vicente Road and Front Street near the U.S. Highway 101 interchange, and other developed areas within the city limit. Required roadway infrastructure improvements may encourage development of

the Northwest Entry Commercial Expansion area that is located within the city's existing SOI, but outside the city limit. However, development of this area with revenue-generating uses is anticipated by the General Plan.

The Specific Plan includes a policy that requires temporary agricultural buffers be established along the boundaries of parcels within the site that develop adjacent to existing agricultural land in order to separate proposed urban uses from adjacent, on-going agricultural uses. The purpose is to reduce conflicts by decreasing the exposure of future urban uses to nuisances associated with agricultural operations. Development that would be permitted within the SOI and Reorganization area will not increase the intensity of use of existing, adjacent developed parcels, as these parcels are within the city limits and have already been built out consistent with densities allowed by the applicable zoning standards.

j. *Describe any special land use concerns (airports, schools, industrial areas, etc.):*

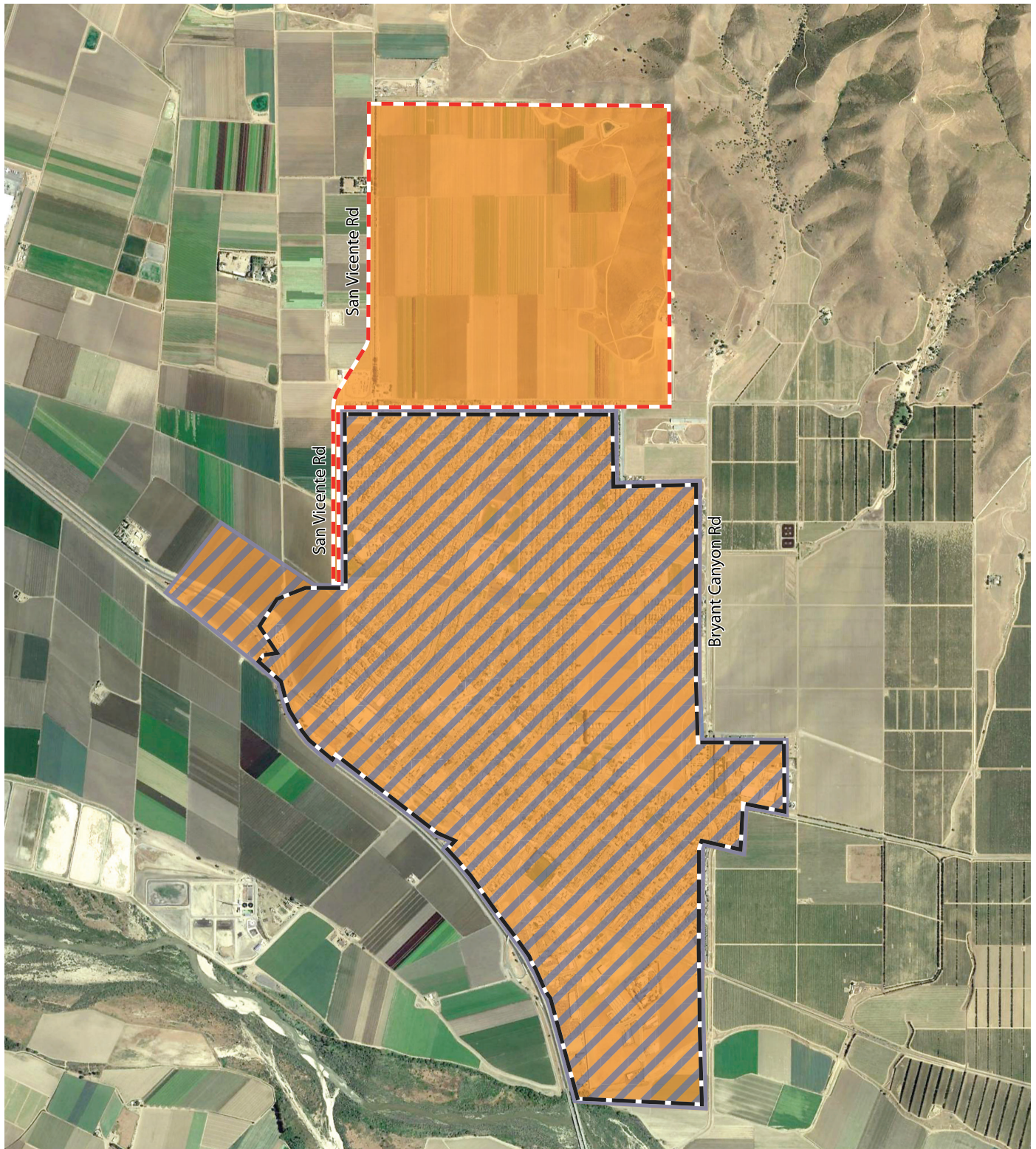
There are no airports or industrial areas in the vicinity of the project site. The nearest school is located about one-quarter mile south of the project site. The Specific Plan includes land area for two elementary school sites and a police/fire substation.

3.2 CONFORMANCE WITH SPHERE OF INFLUENCE

a. *Is the proposal consistent with the adopted Sphere of Influence for affected local agencies? If not, describe the inconsistency and any overriding considerations.*

The proposal is located outside the city's existing SOI. [Figure 3-3, Existing and proposed SOI Boundary](#), shows the location of the proposed SOI boundary relative to the existing SOI boundary. However, the proposed SOI boundary is consistent with the Urban Growth Boundary established by the 2016 MOA between the City of Soledad and Monterey County (refer to Figure 1-2). The geographic limits for the city's ultimate SOI are established in the 2016 MOA, and the Specific Plan SOI boundaries are consistent with those limits. The proposed SOI and Reorganization will set the geographic limits of the Specific Plan area within which the annexation area is located. Once annexed, the city will phase development within the project site consistent with the phasing parameters presented in the Specific Plan Section 6.4, Phasing, and within the Plan for Services (discussed in Section 5 of this application). Consistency with LAFCO Sphere of Influence policies are discussed in the Specific Plan on pages 2-5 – 2-6 (Refer to [Exhibit C](#)).

In consultation with the city's traffic consultant and with city staff, the applicant's engineer has requested an alternative alignment to the S-curves near the northwest corner of the existing sphere. Any roadway alignment in this area is constrained by the presence of high-tension electrical towers on the west side of San Vicente Road, and the existing configuration of San Vicente Road. [Figure 3-4, San Vicente Road Alternative Alignment](#), shows the existing alignment, the Specific Plan alignment, and the alternative roadway alignment proposed by the applicants. An additional 4.05 acres would be needed for this alignment and city staff are reviewing the request.



 Existing Sphere of Influence
  Proposed Sphere of Influence
  Specific Plan Boundary
  Existing City Limits



Source: Google Earth 2019

Figure 3-3

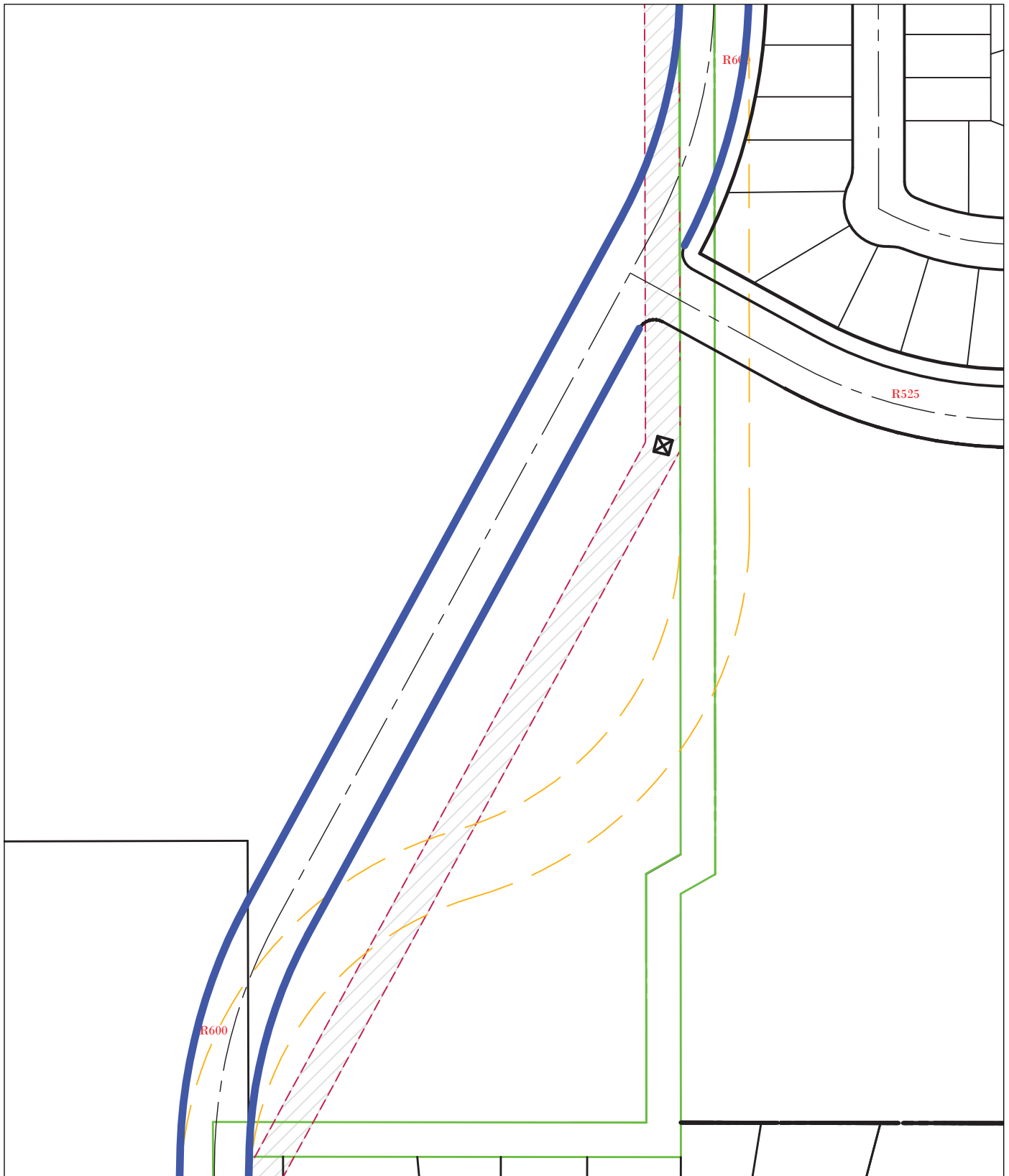
City of Soledad Existing and Proposed Sphere of Influence





City of Soledad Miramonte Specific Plan LAFCO Application

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Source: RJA 2020

Figure 3-4

San Vicente Road Alternative Alignment

City of Soledad Miramonte Specific Plan LAFCO Application



0 160 feet

— New San Vicente Road
— Alternative Alignment

— Specific Plan
— Alignment

— Current San Vicente
— Road Alignment

--- Easement

E

M

C

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Environmental Impact Assessment

4.1 BACKGROUND

In early 2000, the City of Soledad received an application initiated by Nader Agha (applicant) for the then-proposed Miravale III Specific Plan and related preliminary vesting tentative map. The application proposed a phased development for a 920-acre area north and west of the current boundaries of the City of Soledad, including residential, commercial, recreational, and public facility uses and supporting infrastructure, hereinafter referred to as Miravale III Specific Plan project. A Draft Environmental Impact Report was prepared and circulated for public comment and a Final Environmental Impact Report for the Miravale III Specific Plan was certified by the City of Soledad City Council in September 2010.

Application for a new, but smaller project was submitted to the city in 2016, and the Specific Plan was prepared by the city's consultant. An EIR Addendum was prepared by the City of Soledad to evaluate the environmental effects of the new Miramonte project, including a new proposed vesting tentative map. The City of Soledad adopted CEQA findings and certified the EIR Addendum on November 7, 2018.

4.2 CEQA DOCUMENTATION

The certified EIR Addendum and its appendices are included as [Exhibit E](#). The certified Miravale III Specific Plan EIR and its appendices are included as appendices to the EIR Addendum. The City Council Resolution #5431 certifying the Addendum to the certified Miravale III Specific Plan EIR, including CEQA Findings and Statement of Overriding Considerations, are included as [Exhibit G](#). The adopted mitigation monitoring program, discussed previously in Section 1.2, is included in [Exhibit H](#).

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Economics, Service Delivery, and Development Patterns/Plan for Services

5.1 ECONOMICS, SERVICE DELIVERY, AND DEVELOPMENT PATTERNS

a. Please describe how the proposal will impact the ability of affected local agencies (cities, special districts and the County) to continue to provide their services. Include any potential fiscal impacts from the proposal on the affected agencies' revenues or expenditures.

Although the project site is located within the service boundaries of the Mission Soledad Rural Fire Protection District and Resources Conservation District of Monterey County, the site is not developed and changes to the affected districts' revenues and expenditures are anticipated to be minimal.

To assess estimated city costs to provide services and to calculate the project's projected net revenue for the city, the city's consultant prepared a Fiscal Impact Analysis of the Miramonte Specific Plan ("Fiscal Analysis", refer to [Exhibit I](#)) for the Applicant and updated the Applicant's Plan for Providing Services to the Miramonte Specific Plan Area ("Plan for Services"). City staff reviewed the Fiscal Analysis to validate its content and conclusions. The Fiscal Analysis findings are summarized below. The Plan for Services is attached (Exhibit J) and is summarized in Section 5.2, Service Delivery/Plan for Providing Services.

The project site is located within the planned services areas of the city's master utility plans. The city has indicated its intent to eventually provide services to the Specific Plan area, and elsewhere within the General Plan planning area, in a timely manner without lowering the level of services provided within the existing sphere. Adopted programs and policies include cooperative agreements with other agencies to provide services, including crime prevention and fire protection, recreation programs, library services, and wastewater treatment. The city assesses development impact fees for water, sewer, traffic, and storm drainage, as well as for public services such as police, fire, general government, and parks and recreation. All fees collected pursuant to this provision are placed in separate impact fee funds to avoid any commingling of the fees with other revenues and funds, or between services.

The Fiscal Analysis estimated the cost-revenue impact of the Specific Plan on the City of Soledad General Fund revenues and service costs, and new gas tax revenues and related street maintenance costs that gas taxes would fund. The Fiscal Analysis addresses annual operations and maintenance costs for development at buildout. The Fiscal Analysis concludes that the Specific Plan land uses would generate sufficient General Fund revenues to cover estimated General Fund costs.

The Specific Plan provides a mechanism to manage and pay for area development and infrastructure needs so that adequate facilities and services can be provided in pace with development consistent with the plan, and to ensure that present and future public safety, and other services needs of new residents are met without compromising the needs of existing residents. Costs of services and infrastructure for development consistent with the Specific Plan would be provided via the city's development impact fees, a site-specific traffic impact fee paid by new development within the Specific Plan area, and ongoing assessments collected through the formation of a Community Facilities District (CFD) covering the entire Specific Plan area. Routine assessments would be implemented to provide ongoing maintenance and operations of community facilities.

The Fiscal Analysis indicates that buildout of the Specific Plan uses would not have an adverse fiscal impact on the Soledad General Fund, provided that commercial uses are fully developed and viable. Public costs associated with services and infrastructure and/or facility maintenance on the site would be supplemented by assessments from an approved CFD. As summarized in Table 6 of the Fiscal Analysis, buildout of uses consistent with the Specific Plan land use designations would result in annual net benefit of \$390,000 per year including commercial development. Without the commercial component, buildout of all other uses would result in a deficit of about \$120,000 per year.

It is important to note that the amount of annual General Fund property tax revenues generated by the project are conservatively estimated based on the assumption in the Fiscal Analysis that all affordable housing units within the Specific Plan area would be held by a non-profit agency and be exempt from property taxes. The total assessed value of the residential units upon which property tax revenues are based (see Table 7 of the Fiscal Analysis) was therefore adjusted from approximately 701.8 million dollars to 607.9 million dollars (20 percent). In reality, many of the affordable housing units would be available for ownership by individuals and the number of units held by a non-profit would not be as great as the number assumed in the Fiscal Analysis.

The Fiscal Analysis recommended the preparation of a comprehensive financing plan to be prepared for on and off-site infrastructure improvements and public service costs from future development within the Specific Plan area prior to acceptance of the first final map. The City Council has adopted this recommendation as a required condition of map approval. The comprehensive financing plan is required to identify the costs of capital improvements

and set performance standards for the CFD to fund construction of certain public facilities and infrastructure, in addition to funding operations and maintenance of public infrastructure (i.e., streets, storm drains, wet and dry utilities, and parks, etc.). This financing/funding source would be outside of the Soledad General Fund, with revenues identified for specific construction and maintenance costs for projects both in and outside of the Specific Plan area that are required to be constructed concurrently with each phase of development that will be served. The requirement for the comprehensive financing plan is included as Condition of VTM Approval AA (Exhibit B).

For informational purposes, the analysis also includes a discussion of revenues and expenditures based on partial buildout of the project site in two scenarios. The first scenario provides analysis of revenues generated by the development of Specific Plan sub-areas 1-4 and 10 (refer to Table 9 of the Fiscal Analysis), and a second scenario that adds the senior units and commercial uses (Table 10 of the Fiscal Analysis). The two reduced scale scenarios do not reflect required affordable housing units or capital improvements. The results are summarized in [Table 5-1, Summary of Estimated Annual Fiscal Impact on General Fund and Gas Tax Fund](#), and show the significance of the commercial component of the Specific Plan. The analysis illustrates the effect if development of the Specific Plan commercial component significantly lags behind residential development.

Table 5-1 Summary of Estimated Annual Fiscal Impact on General Fund and Gas Tax Fund

Development Level	Revenues	Expenditures	Net Surplus
Reduced Scenario 1*	\$1,024,453	\$901,658	\$122,794
Reduced Scenario 2*	\$1,831,168	\$1,029,096	\$802,072

SOURCE: ADE 2018, EMC Planning Group 2020

NOTE: *Does not include commercial uses.

In the absence of a CFD, the revenue neutrality of development within the Specific Plan area is dependent on the success of commercial development. Therefore, one of the required components of the comprehensive financing plan is an analysis of revenue-generation scenarios with and without commercial development so that an appropriate balance between fees and CFD assessments can be determined. The comprehensive financing plan is required prior to city acceptance of the first final map (refer to Condition of VTM Approval AA.1). Details of required Fees and financing program requirements are included in Condition of VTM Approval AA (Exhibit B).

b. Please describe any efforts to mitigate adverse effects of the proposal on any local agency's ability to continue to provide services to its residents.

Refer also to the discussion in Section 5.2, Service Delivery/Plan for Services

The project site is located within the General Plan planning area and has been contemplated for urban development since 2005. The city is requesting the SOI and Reorganization as a tool to implement its General Plan and economic development (housing, accessibility, revenue and job generation) goals, consistent with the 2016 MOA.

In consultation with the Soledad Unified School District, development of the Specific Plan area includes dedication of two 11-acre elementary school sites and an additional two-acre site for the Soledad High School Future Farmers of America facility.

The Fiscal Analysis (Section 5.1.b) evaluated the potential of forming a CFD for the site to fund early staffing and operating costs for police and fire, and provided an estimate of the bond funding capacity of a CFD once General Fund revenues are sufficient to pay for city services. The estimated costs of infrastructure and public facilities necessary to implement the Specific Plan are underway. The bond-funding capacity of the CFD would increase the opportunities available for major infrastructure improvements such as updating the northern U.S. Highway 101/Front Street/Moranda Road interchange, or the city, potentially increasing

A circulation master plan is also being prepared by the applicant with oversight provided by city staff and consultants to ensure that necessary on- and off-site transportation facility improvements keep pace with and are funded by the development as it proceeds. The city is currently updating its citywide traffic impact fee program and that effort includes development of a dedicated fee system applicable to new development within the Specific Plan area. The city is reviewing the project's draft water, wastewater, and storm drainage infrastructure master plans and is identifying improvement costs necessary for updating its water, sewer system, and stormwater master plans to include Specific Plan demand and necessary upgrades to the existing systems off site, as well as the on-site utility infrastructure systems.

is forthcoming.

The project developer, as a condition of project approval, is preparing the required comprehensive financing plan that will include a determination of potential bond capacity combined with development impact fees that demonstrates the sufficiency of these mechanisms. City Council approval of the comprehensive financing plan is required prior to acceptance of the first final map. The comprehensive financing plan will provide the basis for the project-specific CFD or other special charges as determined by the city including, but not limited to, cost estimates of all public infrastructure improvements on and off the site that are needed to serve the development without impacting existing city services, estimated long term costs of public service provision (police, fire, library, parks and open space, streets and other infrastructure maintenance, etc.), the phasing of infrastructure improvements and services, and quantification of project-specific development impact fees and site-specific traffic impact fees to fund infrastructure and facility improvements. See also the discussion

in 5.1.b. The Development Phasing Plan is being prepared based on the results of city staff and city consultant review of infrastructure master plans. A sample of development phasing is presented in Section 6. The pace of development will be dictated largely by the costs of necessary infrastructure improvements may be adjusted dependent upon the conclusions of the approved infrastructure master plans and comprehensive financing plan.

c. What is the demonstrated need for the proposed additional municipal services? (either now or in the near future)

The project site is located within the General Plan Expansion Area and within the Urban Growth Boundary identified in the 2016 MOA, and City Council has adopted the Specific Plan, which are clear indicators that the area has been contemplated for urban development. The city has anticipated providing urban services to the project site since the General Plan was adopted in 2005 and the Urban Growth Boundary was established the execution of the 2016 MOA with Monterey County. The city has indicated its intent to eventually provide services to the SOI and Reorganization area, and elsewhere within the General Plan planning area, in a timely manner without lowering the level of services provided within the existing sphere. Development opportunities within the existing sphere are limited to a small number of parcels. Development of the remaining parcels within the existing sphere would not be a viable source for providing the large-scale funding effort needed to accommodate the city's current housing needs and infrastructure improvements. The city is requesting the SOI and Reorganization as a tool to implement its General Plan housing and economic development goals to increase the housing opportunities available to its residents and others, increase jobs, schools, and access to the city, without compromising existing city services. Refer also to the discussion in Section 5.2, Service Delivery/Plan for Services.

d. Please describe the capacity of the proposal's subject agency to provide such services.

Refer to the previous discussion in this section regarding development impact fees, the requirement for a comprehensive financing plan and financing as well as the discussions in Section 5.2, Service Delivery/Plan for Services.

e. Are there any factors (such as topography, isolation from existing developments, premature intrusion of urban-type developments into a predominantly agricultural area, or other pertinent economic or social reason) that may reduce the proposal's ability to serve the public interest? Please comment.

The proposal has no characteristics or circumstances that will reduce its ability to serve the public interest. The project site is located squarely within the Urban Growth Boundary identified in the 2016 MOA and adjoins existing residential development at the northern City of Soledad city limit and sphere, and therefore, is not isolated from existing development. Much of the project site is gently sloping, and the Specific Plan designates as Open Space, areas of the project site that are located above the city's 400-foot elevation contour, which is

consistent with the General Plan policies for protection of scenic resources. These areas are designated as scenic resources by the Specific Plan and General Plan, and the Specific Plan prohibits residential development above the 400-foot contour.

While the proposed project would result in the conversion of agricultural land, development of the SOI and Reorganization area has been contemplated since the General Plan was adopted in 2005, as evidenced by the project site's location within the General Plan Expansion Areas and further supported by the Urban Growth Boundary identified in the 2016 MOA. Development within the project site is anticipated to occur over a period of 10-20 years, and on-site agricultural operations are expected to continue while development proceeds; therefore, conversion of agricultural lands within the SOI and Reorganization area will not be premature.

The proposed project will serve the public interest by providing housing and generating funding for the city that can be used to benefit local residents and by providing a variety of housing types, increasing the city's available supply of affordable housing, generating jobs and constructing, operating and maintaining roadway, storm drainage, water, and wastewater infrastructure improvements, and other public services that would benefit existing development as well as future development within the project site. The proposal will provide new open space and park opportunities for the entire city, and per the Soledad Unified School District requests will provide two elementary school sites to serve students who would live in the project site, and further dedicates a two-acre site within the SOI and Reorganization area for the Soledad Highschool Future Farmers of America program.

f. List any related public approvals required for the proposal, including those of local, State, and Federal agencies.

- City of Soledad approvals already made include: General Plan Amendment, Specific Plan, Prezoning, Sphere of Influence Amendment and Reorganization; and
- The City of Soledad and the County of Monterey are in discussions addressing a property tax sharing revenue exchange.
- Future city actions are expected to include, but may not be limited to, the following:
 - Approval of a Circulation Master Plan, Parks Master Plan, and Domestic water Master Plan, Wastewater Master Plan, Storm Drainage Master Plan, and Comprehensive Financing Plan;
 - Updates (in process) and approval of city master plans for Water, Wastewater, and Storm Drainage systems;
 - Updates (in process) of development impact and traffic impact fee programs, including the proposed SOI and Reorganization area. Project-specific fees for development would be based on the overall project's infrastructure cost responsibilities would be incorporated into the city's approved fee programs;

- Update and approval of site-specific infrastructure projects in the city's Capital Improvement Program;
- City zoning of the project site, implementation of subdivision map conditions and EIR Addendum mitigation measures, final subdivision map(s) and improvement plan(s) approval, and architectural and site review approval. CFD initiation, potential habitat permits, right-of-way abandonments and dedication acceptances, encroachment permits for work within city rights-of-way, and easements/maintenance agreements with the City of Soledad are some of the follow-on implementation items to be accomplished at or post final map adoption and recordation.

g. *Have affected local agencies been notified? If so, what was the response?*

Regulatory and Responsible Agencies

Other local agencies were notified as part of the city's CEQA process. The city distributed CEQA notices to a range of interests, including public agencies that are included on its distribution list. A Notice of Preparation of an EIR, Notice of Scoping Meeting, and a Notice of Availability for the Miravale III Specific Plan EIR was distributed to local, state, and federal agencies by the City of Soledad as the lead agency. 12 comments on the NOP were received and a scoping meeting was held September 7, 2006. The Draft Environmental Impact Report for the Miravale III Specific Plan was circulated for public review and comment for 45 days between November 4, 2008, and December 18, 2008. Fourteen comment letters were received including five comment letters received after the close of the public comment period. Public Agency comments were received from California Regional Water Quality Control Board, Caltrans, California Department of Fish and Game (now California Department of Fish and Wildlife), California Native American Heritage Commission, Monterey Bay Air Resources District (then Monterey Bay Unified Air Pollution Control District), Transportation Agency for Monterey County, Monterey County Resource Management Agency, Soledad Unified School District, and LAFCO. Please see the Final EIR for the Miravale III Specific Plan included as an appendix to the EIR Addendum ([Exhibit E](#)) for responses to comments submitted by the respective agencies. Refer also to the related discussion in Section 12.0 of this application.

Soledad Unified School District

Discussions with the Soledad Unified School District have also been undertaken during the city's consideration of the revised project. These discussions occurred over a period of eight months and encompassed district participation at public hearings on the project held by the City of Soledad Planning Commission and City Council. As requested by the district, the Specific Plan was revised to include two 11-acre elementary school sites and two acres for the

Soledad Highschool Future Farmers of America program new facility. A summary of the district's participation and outcomes is presented in a memorandum dated June 9, 2021 included as [Exhibit F](#).

g. Have the property owners and registered voters within the subject area been contacted? If so, what was the response?

There are no residents within the project site; however, parcels west of San Vicente Road are not under control of the city or developer. These parcels are adjacent to San Vicente Road and the city seeks acquisition of them for the necessary improvements to San Vicente Road. The property owners of the affected parcels attended at least one public hearing for the project and submitted comments to the City Council in the fall of 2018, stating that they did not oppose the project and requesting engagement as the project proceeds. The affected property owners were invited by email (January 27, 2021) and certified mail (March 22, 2021) to meet with city officials to discuss potential changes to the alignment of San Vicente Road that would meet the city's planning goal of providing a safe access route to and from the city's growth areas east of the city, but would affect their property. No response has been received.

h. Do residents within the proposal area use facilities or programs provided by the local agency? Indicate the source of this information.

There are no residents within the project site.

i. Do residents within the proposal area travel to the city or boundaries of the special district for shopping, recreation, work, or other purposes? Indicate the source of this information.

There are no residents within the project site.

j. Do the city, or area served by the district, and proposal areas share the same mailing address and zip code?

Yes.

k. Briefly describe any other factors demonstrating interdependence of the city/district and proposal area.

The project will create substantial economic and social value for the city. The proposal will generate housing, infrastructure and employment opportunities that are critically needed in the city and generate substantial positive net revenue to support necessary roadway, storm drainage, water, and wastewater infrastructure improvements that will serve all of the city's residents. Annexation of the entire site is necessary to enable phased development that will fund the design, construction, and long-term maintenance of city services to the project site without negatively affecting the economic conditions in the city in general. In light of the limited development opportunities within the existing sphere, granting the request is necessary.

Development within the project site will best be served by services provided to urban development in Soledad by the city and other existing service providers. Implementation of comprehensive infrastructure master plans and a comprehensive financing plan for the entire annexation area will ensure that no new service agencies are required. The project site is included in the city's utilities master plans, which are being updated to include costs and performance details to accommodate phased development and infrastructure needs to accommodate them.

The proposed reorganization would result in a consolidation of services to be provided primarily by a single agency (the city) relative to existing conditions where multiple limited purpose agencies provide services to the project site. The fact that the project site is located within the General Plan Expansion Area and squarely within the Urban Growth Boundary identified in the 2016 MOA is a clear indicator that the city has anticipated providing urban services since the current General Plan was adopted in 2005 and the MOA with Monterey County was executed in 2016. Further, the proposed project will increase housing and job opportunities for all income levels and economic opportunities available to the existing community and new residents, thereby increasing the potential that Soledad workers will not have to commute outside the city to find employment.

5.2 SERVICE DELIVERY/PLAN FOR SERVICES

This section summarizes the Plan for Services (2018) (Exhibit J) for the Specific Plan, SOI, and Reorganization and responds to the questions listed in the Application Attachment C. The Plan for Services outlines how the city and other agencies would provide services including water, wastewater, storm drainage, solid waste, fire, police, library services, and schools to the project site upon annexation and as development of the area proceeds. Development of the Specific Plan area would occur in multiple phases over a 10 to 20-year timeframe.

Extensions of public infrastructure and expansion of services capacities will be required to accommodate future development within the project site. New utility infrastructure will be sized to accommodate project-specific development consistent with the Specific Plan. The Specific Plan assumes several major phases for the purpose of implementing backbone infrastructure (e.g., storm water collection system, water system, wastewater collection, roadways, etc.) that serves the larger project site. An example would be completing all backbone infrastructure south of the linear park and adjacent to the existing city limits (as an initial phase of backbone infrastructure. However, actual development of the land uses described in the Specific Plan will likely occur in multiple smaller phases over time. Development phasing is proposed as a mechanism to ensure that public services and infrastructure needs keep pace with development, consistent with Specific Plan goals,

policies, and programs as well as ensuring compliance with conditions of approval. Phasing parameters are discussed in the Specific Plan Section 6.4, Phasing ([Exhibit C](#)), and in the Plan for Services Chapter 6, Implementation ([Exhibit J](#)).

Extensions of public infrastructure and expansion of services capacities will be required to accommodate future development within the project site. New utility infrastructure will be sized to accommodate future projects consistent with the Specific Plan

Traffic generated by the proposed project will contribute to cumulative traffic volumes within the city and on U.S. Highway 101. There are two access routes to the city from U.S. Highway 101. The Specific Plan intends to route most traffic from the Specific Plan area to U.S. Highway 101 by way of San Vicente Road, which is a city road south of Gabilan Drive and currently a County road north of Gabilan Drive. The right-of way needed for construction of improvements to San Vicente Road is included in the request. Development of the Specific Plan area is responsible for its share of costs to upgrade a number of the city's traffic facilities. The northern interchange Facility improvements are required to be made to San Vicente Road and several other traffic facilities within the city limit. All internal rights of way will be dedicated to the city.

All traffic impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s). The project developer(s) will design, finance, and construct required traffic facility infrastructure. All facility improvements will be dedicated to the city. Ongoing facility maintenance costs will be financed by the formation of a CFD or some other form of maintenance district identified in the approved Comprehensive Financing Plan.

Additional information is included in the Specific Plan Section 3, Circulation; and Section 5, Public Services ([Exhibit C](#)).

Extension of specific infrastructure systems for domestic water, sanitary sewer, storm drainage, and roadways is discussed in greater detail below. Increases in the demand for fire protection, emergency, and police services are anticipated as the project site is developed. Those services will be financed through establishment of a CFD and payment of applicable development impact fees, and special fees which are in process and will be developed specifically for the project site as a condition of project approval. The city is currently reviewing infrastructure master plans for the project, determining cost estimates for off-site improvements within the city limit, and updating its water, wastewater, and storm drainage system master plans.

Utilities

Water Supply

Water supply and infrastructure capacity is discussed in the Plan for Services Chapter 3 (refer to [Exhibit J](#)). Prior to recordation of the first final map for development of the project site, a Water Supply Master Plan is required that demonstrates the Specific Plan area water supply infrastructure improvements and timing for construction are consistent with the city's approved utilities master plans and design standards (Refer to the conditions of project approval in [Exhibit B](#)). The city is currently reviewing the proposed water system plans to ensure that the development within the project site provides all of the water production, storage, and distribution infrastructure necessary to adequately serve the project demand, without affecting the city's existing service or supply.

Domestic water infrastructure will be extended throughout the project site and will connect to the municipal water system. A water supply analysis prepared for the Specific Plan found that development within the SOI and Reorganization area consistent with the Specific Plan land uses would demand less water than the 1,566.7-acre feet per year projected for the originally proposed project, or water consumed by existing agricultural use of the site. However, the water demand will be greater than the existing water system infrastructure can currently provide to meet peak hour demand. Booster pumps and storage improvements and/or conservation activities will be required to serve the project. The water supply analysis is included as an appendix to the Plan for Services ([Exhibit J](#)).

The water system design for the project site is required to develop potable water production from Zone C or D, utilize and expand existing storage, as necessary, within the project site, and connect back to the existing city distribution system. The applicant proposing development within the project site has committed to drilling a minimum of two (2) new domestic water wells within the project site, sufficient to meet the projected demand at buildout. Treatment of water may be required from new domestic wells within the project site. Appropriate permitting and well tests observed by the Monterey County Environmental Health Department will be required for all new wells and prior to use of the existing wells for non-potable use.

All city development impact fees for water that are applicable at the time of issuance of a building permit are required, but may be offset by the value of developer designed, funded and built capital water system improvements that may be necessary outside of the Specific Plan area. The City of Soledad Public Works Department, along with the city's Water Quality Control Division, is in control of the management and preservation of the city's water wells and water distribution system and is providing oversight of the preparation of the comprehensive Water System Master Plan. Project-related cost estimates and the timing for construction of water system improvements necessary to maintain supply and distribution

within the existing city limit are being developed by the city and incorporated into the city's Capital Improvement. Project-specific development impact fees for development within the Specific Plan area will include costs for project-specific water infrastructure on and off the site and will be incorporated into the city's development impact fee program.

All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s). The project developer(s) will design, finance, and construct water infrastructure. All water system improvements will be dedicated to the city. Ongoing facility maintenance costs will be financed by the formation of a CFD or some other form of maintenance district identified in the approved Comprehensive Financing Plan.

Wastewater

Wastewater service and infrastructure is discussed in the Plan for Services Chapter 4 (Exhibit J).

Design and construction of the new sewer system within the project site will be designed, funded, and constructed by the developer. A comprehensive Miramonte Wastewater Collection System Master Plan is required prior to city acceptance of any final map that demonstrates accurate demand and infrastructure information and to identify appropriate sizing and connections from the project site to the city's current municipal wastewater reclamation system.

The city may require the construction and installation of recycled water pipes that connect from the project site directly to the reclamation facility that would also be designed and funded by the developer. The facility has capacity for providing recycled water for the plan area but the city has no existing pipes in place to serve it. The installation of purple pipes from the existing agricultural wells is a possibility but drawing directly from the reclamation facility may provide a more suitable supply for the project site.

The city's water reclamation facility has sufficient capacity to accommodate the addition of the SOI and Reorganization's wastewater, because the water reclamation facility upgrade was originally designed to accommodate developments outside of the city limits. Since the water reclamation facility upgrade, little or no development has occurred outside of the city limits creating an abundance of capacity available for the project site. Existing flows consist of 1.2 mgd from within the City of Soledad and approximately 1.2 mgd for the California Department of Corrections facilities for a current total of approximately 2.4 mgd through the city's water reclamation facility. Preliminary wastewater infrastructure design was prepared by the applicant's engineer and is under review by the city. Project-related cost estimates and the timing for construction of wastewater system improvements necessary to maintain conveyance within the existing city limit and treatment are being developed by the city and, subject to City Council approval, will be incorporated into the city's Sewer System Master

Plan and Capital Improvement Program. The city's consultants have provided cost estimates that will be incorporated into the city's Capital Improvement Plan. Project-specific development impact fees for development within the Specific Plan area will include costs for project-specific water infrastructure on and off the site and will be incorporated into the city's development impact fee program prior to issuance of the first building permit.

All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s). The project developer(s) will design, finance, and construct wastewater infrastructure. All wastewater system improvements will be dedicated to the city. Ongoing facility maintenance costs will be financed by the formation of a CFD or some other form of maintenance district identified in the approved Comprehensive Financing Plan.

The original calculations completed by Bestor Engineers and reported in the 2018 Plan for Services projected average daily flows of 1.5 mgd with a treatment plant available capacity of 3.4 mgd. City review of the updated projections of wastewater generation have determined that development would result in flows of 0.933 mgd. Plant capacity is sufficient to accommodate these flows, although city staff have identified several pipe deficiencies between the Specific Plan area and the treatment facility. Not all of the improvements are required immediately and the timing of construction for the improvements will be included in the required final development phasing plan.

Storm Drainage

Storm Drainage improvements are discussed in the Plan for Services Chapter 5.

Prior to city acceptance of any final map, the developer is required to prepare a comprehensive Miramonte Storm Water Collection System Master Plan that demonstrates accurate design, capacity, and interconnection of infrastructure for storm water management in the City of Soledad. The applicants' engineer has prepared a preliminary storm drainage system that is currently being reviewed by the city. Project-related cost estimates and the timing for construction of storm drainage system improvements necessary to maintain conveyance and treatment within the existing city limit are being developed by the city and, subject to City Council approval, will be incorporated into the city's Storm Drain System Master Plan and Capital Improvement Program. The city's consultants have provided cost estimates that will be incorporated into the city's Capital Improvement Plan. Project-specific development impact fees for development within the Specific Plan area will include costs for project-specific storm drain infrastructure on and off the site and will be incorporated into the city's development impact fee program prior to issuance of the first building permit.

All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and

constructed by the developer(s). The project developer(s) will design, finance, and construct storm water infrastructure using low impact development methods for capturing and percolating storm water runoff. All storm drain system improvements will be dedicated to the city. Ongoing facility maintenance costs will be financed by the formation of or annexation into a CFD or some other form of maintenance district identified in the approved Comprehensive Financing Plan.

Capacity improvements will be needed on-site to retain storm water runoff associated with a 95th Percentile storm. The proposed linear park will serve as a drainage bioswale leading to the retention basin, and will help percolate water back to the groundwater basin and filter pollutants. Post-development storm water runoff would be captured in the retention basin and percolated into the groundwater, thus not impacting the city's existing storm water system. All runoff associated with storms larger than the 95th Percentile storm may be directed to the linear park and retention basin. Storm water in excess of the 95th Percentile Storm event will be transported in a bio-swale and/or pipe system, which drains to the 15.1-acre designated drainage retention basin located near the southwest corner of the plan area, near San Vicente Road. This storm water facility would be improved to accept runoff from the project site. All proposed storm water facilities will be designed and constructed with capacity to capture 100-year storm flows and meet city and Regional Water Quality Control Board capacity and water quality requirements for post-construction runoff and consistent with the pipe sizing and capacity improvements identified in the storm drain master plan update.

Public Services

Solid Waste

Waste collection within the project site will be handled by Tri Cities Disposal and Recycling, or current service provider at the time of development. Disposed solid waste would be collected and transported to the Salinas Valley Solid Waste Authority Johnson Canyon Landfill. The Johnson Canyon Landfill has sufficient capacity to serve the solid waste disposal needs for buildout development of the project site. Additional detail is provided in the Plan for Services Chapter 6 ([Exhibit J](#)).

Fire Protection

The Reorganization request includes detachment from the Mission Soledad Rural Fire Protection District and annexation to the City of Soledad Fire Department service area. A 1.5-acre police/fire substation site located in the approximate center of the project site will be dedicated to the city. The developer(s) of the project site will also be required to participate in a financing district to provide funds to build, operate, and maintain a fire sub-station on the dedicated site within the plan area. Construction and operations of the substation will be funded through CFD revenues, or benefit assessment district. The developer(s) will be

required to notify new homeowners of Section 4291 of the California Public Resources Code requiring that property owners and/or occupants maintain a defensible space of 100 feet from each side of a structure to protect against a fire (California Legislative Information 2010). The Specific Plan includes provisions for a defensible fire buffer at the interface between the open space area and developed area.

A Comprehensive Financing Plan approved by the City Council is required prior to city acceptance of any final map within the Specific Plan SOI and Reorganization area, and will determine costs of capital improvements for police and fire facilities improvements and assessments for operations and maintenance costs. All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s), as well as the value of land dedications.

Additional detail is provided in the Plan for Services Chapter 7 ([Exhibit J](#)).

Law Enforcement

Law enforcement is currently provided by the Monterey County Sheriff and, through response agreements, by the City of Soledad. The Reorganization request would include annexation which would relinquish the Monterey County Sheriff from primary responsibility and the City of Soledad Police Department would assume that responsibility within the project site and adjacent streets brought into the city limits. Upon annexation, the city would assume the primary responsibility of police protection services for the project site, while the current mutual aid agreements remain in place. See related discussion of the 1.5-acre police/fire substation in the previous paragraph.

Additional detail is provided in the Plan for Services Chapter 8 ([Exhibit J](#)).

Libraries

Development within the project site will be required to pay development impact fees to support the County libraries. In addition, it may be appropriate to provide County library services at or near the two designated school sites and/or the commercial site within the project site. As part of the required Comprehensive Financing Plan, costs for facilities and/or staff will be identified and incorporated into the development agreement, improvement plans, and prior to approving final map(s), along with funding mechanisms to provide additional capital facilities, on-going operations, and maintenance. All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s).

Additional detail is provided in the Plan for Services Chapter 9 ([Exhibit J](#)).

Schools

The project site is located within the Soledad Unified School District. There are currently five elementary schools, one middle school, and one high school in the city along with a continuing education facility adjacent to the high school.

The Specific Plan land uses include two elementary school sites and a site for the Future Farmers of America (FFA) program located near the northern boundary of the SOI. The FFA site will be located in Sub-area 17 between residential neighborhoods and grazing land uses north and agricultural lands west of the project site. The elementary school sites are located close to collector streets with school traffic passing as few houses as possible, while still convenient to local residences. The applicant and/or developer(s) will provide an offer to dedicate the designated school sites prior to the city Council acceptance of the first final map. In addition to the dedication of land, the developer(s) will pay school impact fees as prescribed by the law in effect at the time of payment, unless otherwise dictated by the required development agreement or permit conditions.

Additional detail is provided in the Plan for Services Chapter 10 ([Exhibit J](#)).

Parks and Recreational Facilities

The Specific Plan includes approximately 140.4 acres of open space above the 400-foot elevation contour to the north and east of residential land uses. Designated areas for public parking and emergency vehicle access are included within or adjacent to the open space. Parking areas will be designed, financed, and constructed by developers within the project site. Below the 400-foot elevation contour the Specific Plan includes approximately 56 acres of parks including a linear park and community park, pocket parks, a 15.1-acre joint-use retention basin that will be available for play fields when not in use as a retention basin, and numerous pedestrian and bicyclist connections between neighborhoods. The developer(s) of the project site will be responsible for dedication of the parkland designated in the Specific Plan area, as well as design, finance, and construction of the park areas and public parking for each park location prior to the completion of the phase the park is located within.

The open space designations will remain in ownership with the project developer(s) or some other entity; however, there will be an open space conservation easement over these designated lands specifying the types of uses for these areas, which will primarily be limited to passive recreation. All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s). Operations and maintenance of these parks shall be discussed between the city and the developer(s), so as to comply with the desires and/or needs of the city. The use of a CFD or other assessment mechanism, identified in the approved Comprehensive Financing Plan, will assist with financing the parks' design, construction, operations, and maintenance.

Additional discussion is provided in the Plan for Services Chapter 11 ([Exhibit J](#)); the provision of parks and open space is discussed in greater detail in Section 7 of this application request.

Cemetery District.

Future development of the project site, consistent with the Specific Plan and vesting tentative map, will increase the demand for use and operation of the city's cemetery. Future developer(s) of the project site will be responsible for any fees required to support the Cemetery District to offset the additional demand from the buildout of the Specific Plan area. Additionally, the Cemetery District operations and maintenance costs, to support the buildout of the Specific Plan, could be included in a CFD to support the long-term operations and maintenance of the District. Additional detail is provided in the Plan for Services Chapter 12 ([Exhibit J](#)).

d. Please describe the capacity of the proposal's subject agency to provide such services.

Please see the related discussions in this section. The SOI amendment request is consistent with General Plan land uses and densities, and is included within the planned services areas of the city's master utility plans for public facilities, water, recycled water, wastewater, storm drainage, and parks and recreational services. The city is also preparing a new water master plan and hydraulic model for the existing water system. The City of Soledad has water and wastewater treatment capacity to serve the project site without affecting existing development within the city limit. Refer to the Plan for Services ([Exhibit J](#)).

A Comprehensive Financing Plan approved by the City Council is required prior to city acceptance of any final map within the Specific Plan SOI and Reorganization area, and will determine costs of capital improvements for police and fire facilities improvements and assessments for operations and maintenance costs. All development impact fees applicable at the time of issuance of a building permit are required, but may be offset by the value of capital improvements designed, funded, and constructed by the developer(s), as well as the value of land dedications.

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6.0 Phasing

6.1 PHASING

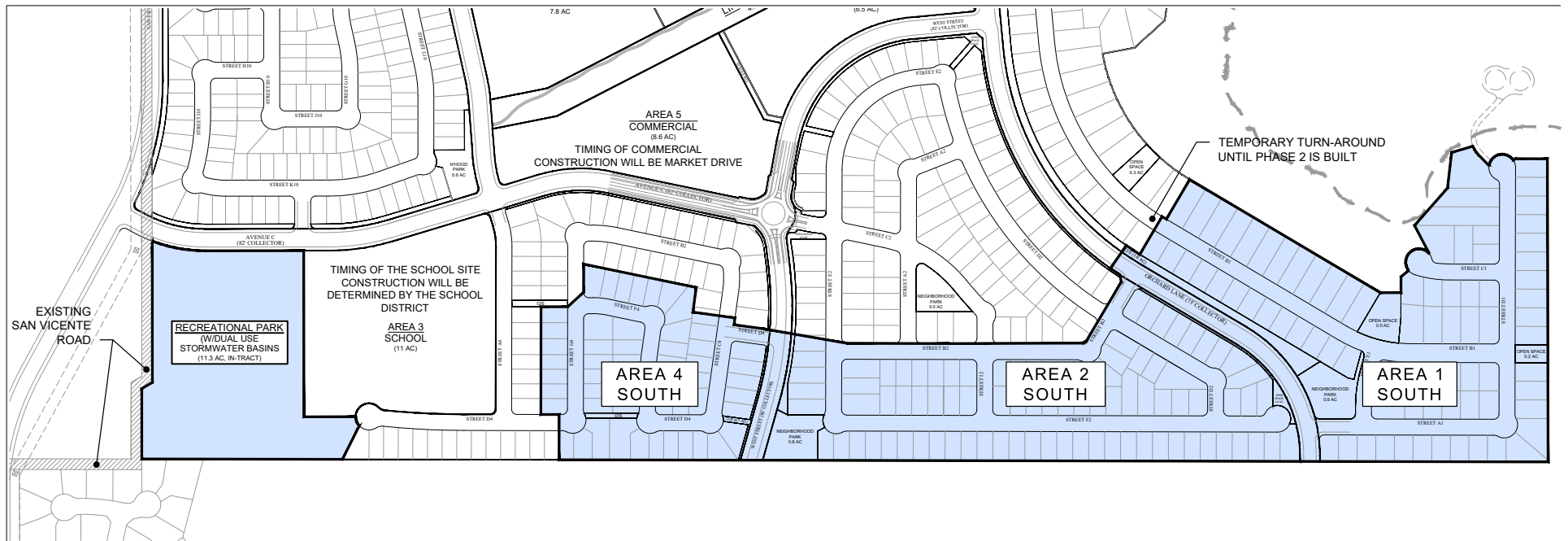
a. Does this proposal include any multi-step, incremental phasing of annexation or other LAFCO approvals? If so, please describe the phasing component in relation to LAFCO of Monterey County's adopted policies for phasing (LAFCO Policies and Procedures, Part D.VIII).

Although the Specific Plan discusses phased annexation, phased annexation of the SOI and Reorganization area is not requested. City staff estimate that vacant land within the city limit will be exhausted in about three to five years (2024-2026) as already approved but not yet implemented projects come on line. Development of the Specific Plan area is anticipated to occur within a 10-20-year timeline after the Specific Plan area is annexed to the city. As noted throughout the application request, the city intends to utilize a phased development approach to ensure that major infrastructure improvements keep pace with the city's housing development and are designed, funded and constructed in a timely manner within the requested SOI and Reorganization area.

The Specific Plan, Section 6.4 ([Exhibit C](#)) includes a set of phasing parameters to ensure that backbone infrastructure improvements are made and financed concurrently with future development. These parameters are designed to facilitate efficient provision of services, provide for adequate circulation, and prevent premature conversion of agricultural land and are based on the provision of final map(s) for development phase(s). Engineered infrastructure master plans are being prepared by the applicants and developers, which will form the basis for development phasing. As noted in section 5.2, a number of improvements to existing circulation, wastewater, storm drainage, and water systems will be needed to serve not only existing residents but new development. A preliminary concept for the first phase of development is presented in [Figure 6-1, Conceptual Development Phase 1](#). Consistent with the parameters provided in the Specific Plan and Plan for Services, development will begin with the southern areas of the Specific Plan project boundary that border the northern end of the city limits. Each phase will develop north toward the northern edge of the Specific Plan project boundary line. The plan is required to stagger development to ensure the provision of and financing of infrastructure and services on and off the site and concurrently with development. This phasing will maintain opportunities for on-site agricultural activities to continue during development.

Boundaries are likely to follow the linear park and collector streets within the Specific Plan. These features will provide an interim buffer between urban development and the remaining agricultural lands. The guidance within the Specific Plan will ensure orderly development within the project site. Because the Specific Plan includes a phasing program, it is consistent with this policy. Development will be undertaken through a series of final maps to enable the provision of public services within the SOI and Reorganization area and other areas of the city (refer to the discussion in Section 5.2) without jeopardizing the city's ability to meet existing services provision needs.

A discussion of consistency with LAFCO policies for annexation phasing is found in the Specific Plan Section 2.2.



Phase 1

Source: RJA 2021



Figure 6-1
Conceptual Development Phase 1

City of Soledad Miramonte Specific Plan LAFCO Application

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Open Space and Agricultural Land

7.1 AGRICULTURAL LAND

The proposal is consistent with LAFCO's adopted Policy for Preservation of Agricultural Lands. Approval of the application requests are necessary to ensure the preservation of open space within the proposed SOI and Reorganization area, and preservation outside of the city's Urban Growth Boundary set forth in the 2016 MOA.

Development of the uses and infrastructure needs, consistent with the General Plan and Specific Plan, will convert agricultural land to urban uses. The SOI amendment and Reorganization request is consistent with the 2016 MOA, which acknowledges the need for development to occur beyond the present city limits, and establishes geographic development limits to direct growth to locations that will have the least adverse impact on agricultural lands. The proposed SOI boundary is consistent with the geographic development limits established by the 2016 MOA, by placing the proposed reorganization area squarely in the center of the Urban Growth Boundary.

The Specific Plan includes a set of phasing parameters that are designed to prevent premature conversion of agricultural land, and the required Development Phasing Plan must be consistent with those parameters. Once annexed, development of the Specific Plan area will occur in phases starting with areas contiguous to the existing sphere up to the linear park and west following collector streets within the Specific Plan area. These features will provide an interim buffer between urban development and the remaining agricultural lands on the site. Remaining agricultural land, whether interim or permanent, will be contiguous to other agricultural land, to facilitate efficient ongoing use for agriculture either on the site or to the west.

The developers have prepared an Agricultural Mitigation Program that incorporates the use of buffers between the Specific Plan area and Prime Farmland to the west. [Figure 7-1, Agricultural Buffer](#), presents an overview of the site and perimeter buffers. A comparison of [Figure 7-1](#) with [Figure 3-2](#) illustrates that Residential Sub-area 10, Sub Area 11, and Sub-area 17 are the only plan area neighborhoods nearest to active agricultural uses to the west of San Vicente Road. All other neighborhoods are located near the center of the SOI amendment and Reorganization area or contiguous to existing development within the city limit. The plan and buffers are described in greater detail in [Exhibit K](#).

On the east side and the remainder of the north side of the project site, a buffer to ranchland is provided by additional dual use storm basins between Sub-area 17 and Sub-area 12 and hillside open space on the north; and on the east, hillside open space, dirt roadways, and the rear building setbacks of the adjacent houses in Sub-area 1. On the west side, a 150-foot buffer to cultivated farmland west of San Vicente Road is provided by San Vicente Road, the drainage basin/park, landscaped areas between Sub-area 10 and Sub-area 11, and Sub-area 17, which is large enough to accommodate a buffer between other phases of development. The Agricultural Mitigation Plan exhibits show the details of the buffer area in the vicinity of Sub-area neighborhoods 10 and 11.

An agricultural mitigation program is required by the city's adopted mitigation measures and conditions of approval for development within the Specific Plan area, consistent with the 2016 MOA and LAFCO policies to prevent the premature conversion of agricultural land. The proposed Agricultural Mitigation Program identifies the following mitigations to offset the loss of agricultural land:

- The primary means of mitigation will be establishing agricultural preservation easements at a 1:1 ratio for the portion to be mitigated via this method. Agha Development is identifying farmland in the Salinas Valley, as close to the City of Soledad as feasible, for such an easement or easements.
- A portion of the mitigation may be satisfied by paying an in-lieu mitigation fee and/or purchasing agricultural-based mitigation credits at a 1:1 ratio to mitigate the amount attributed to this method.
- In combination with the agricultural preservation easement(s) and/or in-lieu fees, Agha Development and its entities have several other opportunities for permanent open space preservation towards partial agricultural mitigation, including:
 - ♦ Preservation of wetlands owned by an Agha Development entity in Moss Landing: up to 50 acres of critical coastal wetlands could be preserved as part of the agricultural mitigation for the Miramonte project.
 - ♦ Agha Development is committed to donating 2 acres of land for a Future Farmers of America Agricultural Education Center within the Miramonte subdivision. Both the land dedication and the agricultural training represent substantial value to the local farming community and the local area.
 - ♦ Also, within the Miramonte subdivision, up to 140+/- acres will be preserved open space with public access rights, offering hiking trails, picnic areas, and vista points. This commitment represents a substantial value to the community at large.

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- ♦ **Right-to-Farm:** Each new residential lot in the proposed project will include a deed restriction indicating the right-to-farm for adjacent agricultural operations. The deed restriction will remain in place as long as the adjacent agricultural/viticultural operations continue and are not converted to urban uses. Deed restriction recoding will be concurrent with the final subdivision map(s) for each phase or at another time stipulated in the project development agreement. Evidence of the recording will be submitted to the City Community Development Director.

City review of the Agricultural Mitigation Program has found that the program is consistent with LAFCO policies for the preservation of agriculture and the protective measures outlined in the 2016 MOA (refer to Specific Plan Policy LU-J), and the city's adopted mitigation measures and condition of approval for the city-prepared Specific Plan and developers' Vesting Tentative Map.

7.2 OPEN SPACE AND PARKS

The Specific Plan will also permanently preserve approximately 140 acres of hillside open space, located above the 400-foot elevation contour, and about 57 acres of active parkland within the Specific Plan area. City Condition of Approval COA 44.a requires park and open space dedications as shown on the Specific Plan. The overall parkland and open space provided in the conceptual plan is about 193 acres, which is consistent with the General Plan parkland goal of five acres of public parkland for every 1,000 residents. Open space and parks will be publicly available for all city residents.

The 140 acres of hillside land above the 400-foot contour will be preserved as open space, consistent with the city's General Plan policies for the preservation of scenic vistas above the 400-foot elevation contour. See [Figure 7-2, Open Space, Trails, and Parks](#)

A consistency analysis with LAFCO policies is also included in the Specific Plan Chapter 2.2 ([Exhibit C](#)).

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LEGEND

1. Natural Open Space
2. Village Park
3. Hillside Picnic Park
4. Sports Park (With Dual Use Stormwater Basins)
5. Neighborhood Parks & Paseos
6. Linear Park
7. Stormwater Basins with dual use recreational facilities



Not to scale

Source: RJA 2020

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Groundwater Standards

8.1 GROUNDWATER STANDARDS

a. *Did the proposal's CEQA clearance determine that the proposal may significantly impact the groundwater basin?*

No. The EIR Addendum ([Exhibit E](#)) found that the proposed project as mitigated would not significantly impact the water quality or capacity of the groundwater basin. A water supply verification letter was issued by the city in 2007 for the formerly proposed Miravale III Specific Plan project based on the conclusions of a SB610 water supply assessment analysis commissioned by the city in 2007. In 2017, the city commissioned an update to the original water supply assessment, the results of which confirmed that the city's water supplies will be able to serve the Specific Plan area. The Plan for Services was prepared with extensive input from the City of Soledad Director of Public Works, using the updated water supply assessment prepared by AKEL Engineers, which is the firm that also prepared the city's 2015 Urban Water Management Plan. Development of the uses identified in the Specific Plan would demand less water than the original Miravale III project and also less water than that consumed by the existing agricultural use of the site. A new water supply verification letter is not required.

The Plan for Services acknowledges that new water system infrastructure is required to maintain capacity to meet overall peak hour demand (refer also to the discussion in Section 5.2). Conditions of map approval (see Condition of Approval 33 included in [Exhibit B](#)) require all infrastructure improvements to be shown in an engineered master plan and to provide a mechanism for incorporating appropriate water conserving measures into the project to reduce demand based on factors provided by the Director of Public Works, all of which will be included in the master plan. The required master plan must meet city design standards and peak hour demand performance criteria and is subject to review and approval of the City Engineer prior to acceptance of the first final subdivision map. City staff are currently reviewing a draft master plan to ensure these criteria are met.

Existing wells on the site will not be used for domestic water supply, and if used for non-potable water, sufficient water quality testing is required as a condition of map approval to support their intended use and to protect the integrity of the city's groundwater supplies (see Condition of Approval 34 in [Exhibit B](#)). Per the Director of Public Works, the required

water system master plan must identify all water supply infrastructure requirements for the Specific Plan area including treatment and distribution system for potable and recycled water. Additional detail is provided in Conditions of Approval (refer to [Exhibit B](#)), in Section 3.15 of the EIR Addendum ([Exhibit E](#)) and in the updated water supply assessment included as an appendix to the Plan for Services ([Exhibit J](#)).

b. LAFCO will encourage boundary change proposals involving projects that use reclaimed wastewater, minimize nitrate contamination, and provide beneficial use of storm waters.

Refer to the response to item 8.1.b, above, regarding groundwater quality. Future development of the project site consistent with the Specific Plan may include reclaimed wastewater purple pipe recycled water lines designed and constructed in compliance with the City Code. Sizes, locations, and/or type of recycled water service lines, service connections, meters, backflow protection devices, and any/all other appurtenances shall be included in the required water system master plan, and are subject to review and approval of the city Public Works Director prior to acceptance of any final map. Refer to Conditions of Approval No. 34 and No. 35 ([Exhibit B](#)).

Future development of the project site consistent with the Specific Plan also includes the beneficial use of storm water. The proposed project includes a drainage bio-swale within the linear park, a retention basin to capture post-development runoff, and other improvements to capture, retain, and percolate storm water within the project site consistent with the requirements of the Central Coast Regional Water Quality Control Board. The storm water would be collected in the linear park and through the underground storm drain system and directed to the retention pond (basin). The linear park would serve as a bio-swale, following the existing topography and leading from upper elevations to the storm water retention basin at the lowest elevation on the project site. Storm water within developed areas would be collected and conveyed in a curb, gutter and underground storm drain system to the storm water retention basin. The basin, which will serve as a dual-use facility for recreational purposes, would be sized to accept the increase in flow resulting from full buildout of the uses identified in the Specific Plan. Additional detail is provided in Section 5.2 of the Specific Plan ([Exhibit C](#)), in Section 5.3 of the Plan for Services ([Exhibit J](#)), and in the required conditions of map approval ([Exhibit B](#)).

c. LAFCO will encourage proposals which have incorporated water conservation measures. Water conservation measures include drought tolerant landscaping, water-saving irrigation systems, installation of low-flow plumbing fixtures, retrofitting of plumbing fixtures with low-flow devices, and compliance with local ordinances.

In addition to compliance with the Model Water Efficient Landscape Ordinance and Central Coast Regional Water Quality Control Board Post Construction Stormwater Management Requirements, and standard conditions of project approval for individual development

projects, future development consistent with the Specific Plan land uses is subject to compliance with Policy PSF-E, that requires reductions in potable water consumption through the use of recycled water for irrigation, emphasis on drought- tolerant plant materials for landscaping, and the incorporation of state-of- the art low water/high efficiency use fixtures and appliances in all new private development and public facility construction, including schools.

d. LAFCO will encourage those proposals which comply with adopted water allocation plans as established by applicable cities or water management agencies.

The proposed project would not require an additional allocation of water. Refer to the discussion in item 8.1.a.

e. LAFCO will encourage those proposals where the affected jurisdiction has achieved water savings or new water sources elsewhere that will off-set increases in water use in the project site that would be caused by the proposal.

Refer to the discussion in item 8.1.a.

f. LAFCO will discourage those proposals which contribute to the cumulative adverse impact on the groundwater basin unless it can be found that the proposal promotes the planned and orderly development of the area

Refer to the discussion in item 8.1.a. Future development consistent with the Specific Plan land use designation would not result in cumulatively considerable contributions to cumulative groundwater impacts (Refer to Table 5.2-1 of the Miravale III Specific Plan included as an appendix to the EIR Addendum in [Exhibit E](#)).

g. LAFCO will discourage those boundary change proposals which, when considered individually and after taking into account all mitigation measures to be implemented with the project, still cause a significant adverse impact on the groundwater basin.

See item f) above. The SOI and Reorganization will not result in significant adverse impacts on the groundwater basin. The development of the project site will contribute to existing demands on the groundwater basin but will be accommodated by the city's supply once project and planned infrastructure improvements are made to connect the project site to the current municipal distribution system.

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9.0 Regional Traffic Impacts

9.1 REGIONAL TRAFFIC IMPACT MITIGATION

a. For (city) annexations and Sphere of Influence applications: Please discuss how the proposal mitigates its regional traffic impacts (for example, by monetary contribution to a regional transportation improvement fund as established by the Transportation Agency of Monterey County or otherwise):

Future development consistent with the Specific Plan land uses is required to pay the TAMC Regional Development Transportation Impact Fee prior to issuance of any building permit for each phase of development. Payment of the fees mitigates the project's impacts to regional facilities (refer to mitigation measure 4.13-10 included in the attached Mitigation Monitoring and Reporting Program, [Exhibit H](#))

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10.0

Efficient Urban Development Patterns/ Housing and Jobs

10.1 EFFICIENT URBAN DEVELOPMENT PATTERNS

As reported in Section 3.1 of this application request, the City Council approvals on November 7, 2018, included a General Plan Amendment to change the jurisdictional boundaries and land use designations for 647.3 acres of the affected City of Soledad Expansion Areas to Miramonte Specific Plan (MM-SP) (Refer to [Exhibit C, Miramonte Specific Plan](#)). A list of applicable goals policies and objectives in the General Plan are provided in the response to LAFCO's adopted Policies for Efficient Urban Development Patterns ([Attachment D](#) of the application form found in [Appendix A](#)).

The Miramonte Specific Plan (Specific Plan) implements the City of Soledad General Plan goals and policies that encourage mixed uses, mixed densities and an efficient, orderly development pattern (See the related discussion in Section 3.1). Specific Plan Goal LU – 3 calls for the provision of a range of land uses and facilities that meet the needs of plan area residents, that are economically beneficial to the city, and can be developed into an integrated and cohesive residential and recreation-oriented community centered around parks, trails, schools, and shopping and embracing and connecting to the hillside open spaces to the east. [Figure 10-1, Land Uses](#), visually illustrates the cohesiveness of proposed of housing, commercial uses, parks, and open space uses adjoining the existing city limit.

The General Plan Amendments approved for the project site assure that the land uses for the Specific Plan area are consistent with the applicable land use designations, General Plan land use intensity and residential densities. The proposal is consistent with the city's intent that the subject portion of the General Plan planning area be developed with urban uses consistent with the Specific Plan land use designation. The City Council approved the Specific Plan to guide development within the SOI and Reorganization Area, which are co-terminus with the Specific Plan boundary. Therefore, the proposed SOI and Reorganization is consistent the Specific Plan, and the Specific Plan is consistent with the General Plan.

Specific Plan consistency with the General Plan is discussed in greater detail in Table 1-4 of the Specific Plan. The proposal is consistent with the City of Soledad long-term planned direction of growth, as the SOI and Reorganization area is located within the city's future growth Expansion Areas identified within the General Plan planning area, and also lies within the geographical limits of the Urban Growth Boundary identified in the 2016 MOA.

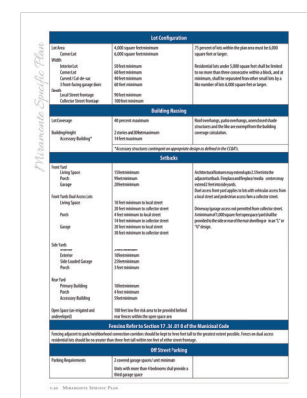
10.2 HOUSING AND JOBS

Consistency with housing and jobs policies are also discussed in the Specific Plan Section 2.2 (pp 2-13 – 2-14). This discussion notes that the Association of Monterey Bay Area Governments (AMBAG) assigned the city a Regional Housing Needs Assessment housing target of 191 units for the 2014 – 2023 time period; however, this assignment predates state mandates for jurisdictions to provide greater numbers of housing and the onset of the COVID 19 pandemic.

As noted in Section 1, existing available opportunities for new housing development are limited within the city's current SOI, and overcrowding in the city's available housing stock has been exacerbated by the COVID 19 pandemic. The Specific Plan includes 2,392 housing units, which more than meets the AMBAG target, and will address overcrowded housing conditions within the city. The Specific Plan also includes housing for lower income households, seniors, and workforce and ensures integration of affordable housing both through design and location. The designated affordable housing is integrated throughout the Specific Plan area and also located in the Specific Plan core area adjacent to a park, elementary schools, senior housing, and commercial uses. [Figure 10-2, Residential Lot Sizes](#), shows the distribution of various residential lots across the site. Smaller than average lots will provide a more affordable low-density single-family detached housing opportunity. Duplexes, duets, triplexes, and fourplexes may also be constructed with placement and design that is in keeping with the overall low-density character.

Specific Plan policy LU – C requires the incorporation of affordable housing within the plan area, including housing for senior citizens, workforce, and low and very low-income households. Consistent with the Inclusionary Ordinance, provide at least six percent of units for very low-income households, six percent for low-income households, and eight percent for moderate income households. At least 30 percent of medium density housing units should be available as rentals. The affordable housing units shall be constructed concurrently with the market rate housing units.

Based on the current Regional Housing Needs Assessment, the city only needs to accommodate about 28 affordable units per year. Development consistent with the Specific Plan land use designations will, on its own, meet the city's affordable housing requirement by providing 280 affordable units over a 10-year period or 560 affordable units over a 20-year period. At least 800 units are intended to be affordable due to low-income deed restrictions (207 units), senior deed restrictions (134), or a minimum density meeting the default density value of 20 units per acre for which affordability is assumed by the Housing and Community Development Department (419 units).



Yield Summary

	Lot length				
Neighborhood	50'	55'	60'	70'	Total
1	0	0	0	136	136
2	0	0	160	0	160
3					0
4	0	113	0	0	113
5					0
6					124
7					service being
8					public safety
9					multi-family
10					multi-family
11	100	0	0	0	100
111	62	0	0	0	62
12	117	0	34	3	154
121					0
14	0	0	54	37	91
15	0	0	173	71	244
16					actual site
	204	294	403	247	2,352
	14%	12%	15%	10%	



Source: RJA 2021

Figure 10-1
Land Uses

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City of Soledad Miramonte Specific Plan LAFCO Application

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Development of the Specific Plan commercial uses and public services (e.g., schools, parks, public safety, etc.) and the increase in population resulting from new residential units creating demand, will result in the establishment of new jobs within the plan area and in the community of Soledad. The land use and circulation pattern will promote reduced vehicle miles for shopping and school trips. The Specific Plan is designed to promote walking and bicycling, with an integrated trail system that connects every neighborhood to each other and to the schools and commercial area (refer to Figure 7-2). The Specific Plan provides much needed housing, additional job opportunities, and a comprehensive trail system to reduce internal automobile trips. The city has prepared a guidance document for the reduction of greenhouse gas (GHG) emissions to assist the developer with the required preparation of either an overall emissions reduction plan or phased emissions reductions plans with each map. The preparation of a GHG emissions reduction plan is a required condition of map approval for development in the Specific Plan area. The city's guidance document is included in [Exhibit M](#).

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11.0

Disadvantaged Unincorporated Communities Adjacent to Cities

11.1 DISADVANTAGED UNINCORPORATED COMMUNITIES

There are no disadvantaged unincorporated communities contiguous to the project site.

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12.0 Environmental Justice

12.1 ENVIRONMENTAL JUSTICE

a. Please provide information on the demographics of the proposal area, including ethnicity and income.

There are no residents within the project site.

b. Will all residents have access to the facilities or services requested by this application?

All existing residents within the current city limit and future residents within the project site will have access to all facilities and services within the project site.

c. Will the projected cost of such services be appropriate to the income levels of the area's population? If so, are the service costs likely to be held to this level for the long-term?

Yes. See also the discussion in Section 5.1. The Fiscal Analysis ([Exhibit I](#)) notes that the Specific Plan provides a mechanism to manage and pay for area development so that adequate facilities and services can be provided in pace with development consistent with the Specific Plan, and to ensure that present and future public safety, and other services needs of new residents are met without compromising the needs of existing residents elsewhere in the city. Costs of services and infrastructure for development consistent with the Specific Plan would be provided via development impact fees, a site-specific traffic impact fee paid for by new development, and ongoing assessments collected through the formation of a CFD covering the project site. However, the Fiscal Analysis indicates that buildout of the Specific Plan uses would not have an adverse fiscal impact on the Soledad General Fund, provided that commercial uses are fully developed and viable. All uses on the site would be supplemented by assessments from the CFD. As summarized in Table 6 of the Fiscal Analysis, buildout of uses consistent with the Specific Plan land use designations would result in annual net benefit of \$390,000 per year including commercial development. Without the commercial component, buildout of all other uses would result in a deficit of about \$120,000 per year. It is important to note that the amount of annual General Fund property tax revenues generated by the project are conservatively estimated based on the assumption that all affordable housing units within the Specific Plan area would be held by a non-profit agency and be exempt from property taxes. The total assessed value of the residential units upon which property tax revenues are based (see Table 7 of the Fiscal

Analysis) was therefore adjusted from approximately 701.8 million dollars to 607.9 million dollars (20 percent). In reality, many of the affordable housing units would be available for ownership by individuals and the number of units held by a non-profit would not be as great as the number assumed in the analysis.

d. What measures have been taken to solicit public comment on the proposal?

The following is a summary of major events related to the city's review of and agency/public participation for the proposed Miramonte Specific Plan and Vesting Tentative Map Project.

- 2000 - Application initiated by Nader Agha (applicant) for a proposed Specific Plan (Miravale III Specific Plan) and preliminary vesting tentative map for 920 acres north and west of the city limit;
- 2006 – Public Scoping Meeting (CEQA) Miravale III Specific Plan EIR;
- 2008 – City of Soledad City Council adopts water supply assessment and issues verification of water supply for Miravale III Specific Plan;
- 2008 - Draft EIR for the Miravale III Specific Plan was circulated for public review;
- December 11, 2008 – Duly noticed public hearing for Planning Commission consideration of the Miravale III Specific Plan Final EIR;
- August 12, 2010 – Planning Commission consideration of original Miravale III Specific Plan and Vesting Tentative Map project;
- September 1, 2010 – City Council certifies Final EIR for the Miravale III Specific Plan (Resolution # 4564) and adopts Resolution #4565 requiring the following:
 - directs applicant to revise project consistent with one of the alternatives identified in the Miravale III Specific Plan EIR; and
 - directs staff to initiate a sphere amendment with LAFCO, once the revised project is submitted.
- June 2016 – Application initiated by Nader Agha (applicant) for a proposed revised tentative map (VTM project application);
- August 2017 – City Consultant completes draft Miramonte Specific Plan based on applicant's preliminary tentative map;
- September 14, 2017 - Applicant's preliminary vesting tentative map, and the city-prepared draft Specific Plan and Plan for Services presented at duly-noticed joint meeting with Planning Commission and City Council;
- April 12, 2018 – Duly-noticed Planning Commission public hearing to consider application requests, draft Specific Plan, vesting tentative map, and Addendum to the Miravale III Specific Plan EIR. Staff is directed to revisit circulation, lotting plan and parkland provisions and other items;

- May 10, 2018 – Continued Planning Commission consideration of revisions to Specific Plan and conditions of approval as requested by Commissioners. Staff directed to revisit timing for traffic mitigation measures and conditions of approval;
- June 14, 2018 – Continued consideration by the Planning Commission. Planning Commission adopts resolutions recommending adoption of environmental documentation, approval of a General Plan amendment for the Specific Plan, conditional approval of the vesting tentative map, initiation of Sphere of influence, reorganization and prezoning, etc.;
- July 18, 2018 – Duly noticed public meeting held by City Council for informational presentation of the Addendum to the Miravale III Specific Plan EIR and preliminary vesting tentative map, and the city-prepared draft Specific Plan, Fiscal Analysis and Plan for Services. Staff is directed to revisit circulation, lotting plan, parkland provisions, schools, and other items;
- August 28, 2018 – Duly noticed public hearing held by the City Council to collect public testimony, consider application requests, draft Specific Plan, vesting tentative map, and Addendum to the Miravale III Specific Plan EIR. Staff is directed to provide further information on circulation improvement timing;
- October 23, 2018 – Continued consideration by City Council to discuss circulation needs. Staff directed to provide additional information on alternatives to mitigation measures for required traffic improvements; and
- November 7, 2018 – City Council adopts resolutions making CEQA findings, adopting a Statement of Overriding Considerations, certifies the Addendum to the Miravale III Specific Plan EIR, adopts the Mitigation Monitoring and Reporting Program for the Miramonte Specific Plan and Vesting Tentative Map, approves the Miramonte Specific Plan and General Plan Amendment, adopts the Prezone Ordinance 718, and conditionally approves the Vesting Tentative Map.

e. Would this proposal result in inferior public services being provided to an area where there is a concentration of low-income or ethnic groups?

No. There are no residents within the Specific Plan SOI and Reorganization area. The Fiscal Analysis indicates that payment of fees and collection of taxes and assessment will cover additional costs, so that services the city provides elsewhere will not be reduced in order to serve the project site.

f. Are there any adjacent neighborhoods that might benefit from the agency's services that could be included in the proposal? If so, what are the demographics for this area and why were they excluded?

The adjacent neighborhoods are already within the city limits and receive city services. Future development associated with the proposal would result in the provision of new elementary schools, increased recreational opportunities in plan area parks and open space, increased accessibility to commercial and professional uses, and a new police and/or fire substation. The adjacent neighborhoods that might benefit from the agency's services are located within the existing city limit of the City of Soledad and have already been evaluated and incorporated into the proposal.

g. Please provide a listing of the members of the city Council or District Board of Directors for the subject agency, and include the gender and ethnicity of each member.

The City Council Members at the time of project adoption consisted of: Fred J. Ledesma, Mayor (male); Alejandro Chavez, Mayor Pro Tempore (male); Anna Velazquez, Councilmember (female); Carla Stobridge Stewart, Councilmember (female); and Marisela Lara, Councilmember (female). The ethnicity of the City Council members accurately represents the general ethnicity of the city.

The current City Council Members are: Anna Velazquez, Mayor (female); Carla Stobridge, Mayor Pro Tempore (female); Ben Jimenez, Jr., Councilmember (male); Alejandro Chavez, Councilmember (male); and Marisela Lara, Councilmember (female). The ethnicity of the City Council members accurately represents the general ethnicity of the city.

h. Are members elected or appointed? If elected, please note whether elections are by district or at-large.

The City Council members are elected at-large

i. How long is the term of office?

Council members: Four (4) years

Mayor: Two (2) years

j. How will the voting rights of persons in the affected territory be affected?

There are no residents in the project site.